



November

34

The American **Mercury**

SHADY BUSINESS *in the* **RED CROSS**

by John L. Spivak

Doubts About Liberal Colleges

Harry Woodburn Chase

The Racket of Stolen Love

Anthony M. Turano

Shylock, Christian

Louis Untermeyer

The Sad Tale of Ramsay Mac

Oswald Garrison Villard

The Overcoat

Sally Benson

What Happens in a Strike

Meridel Le Sueur

The Plague of Judicial Opinions

Joseph N. Ulman

Drugged Individualism

Ernest Boyd

American Plays in England

Ivor Brown

Has Insulin Failed?

W. W. Bauer

Alfred A. Knopf, Publisher



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bonded warehouses at Louisville. And we urged people to hurry if they wanted some.

Apparently people *did* want some, and hurried.

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November 1934

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Alfred A. Knopf, *Publisher*
Charles Angoff, *Editor*
Lawrence E. Spivak, *Business Manager*

CHECK LIST of NEW BOOKS

PUBLIC QUESTIONS

THE BURNING OF THE REICHSTAG.

By Douglas Reed. Covici-Friede
\$3 5 3/4 x 8 3/4; 352 pp. New York

That juridical monstrosity, the Leipzig trial of van der Lubbe and the others for the burning of the Reichstag, is here reported in detail by the special correspondent of the London *Times* at the trial. Most of the book was written during the trial and "in ignorance of the verdict: but in the conviction that four of these men, on the evidence, were innocent of all connexion with the fire." Mr. Reed was in Berlin near the Reichstag when the fire started, and he writes his story from this point, through the trial, to the execution of van der Lubbe. The question, "Who fired the Reichstag?" has, Mr. Reed says, "no longer any practical importance. . . . But historically the question is justified, and is important." The trial did not answer that question and "it is a problem that is likely to baffle students of history for some time to come." That van der Lubbe was guilty is highly improbable, but the more or less common assumption that Goering and the Nazis burned the Reichstag finds no proof here. The most magnificent figure at the trial was one of the defendants, the Bulgarian Communist, Georgi Dimitroff. Mr. Reed has admiration only for him, and says that Goebbels, Goering and the rest of the Nazi battery were no match for him. An index is lacking.

AN ORIENTAL VIEW OF AMERICAN CIVILIZATION.

By No-Young Park. Hale, Cushman & Flint
\$1.50 5 1/2 x 7 7/8; 128 pp. Boston

No-Young Park is a Chinese writer who received his Ph.D. from Harvard and has lectured at American universities during the past ten years. In a series of sketchy chapters he comments on the American home, press, church, movies, education, President Roosevelt. Most of what he says is banal or dubious. He says the American home is disintegrating, the Church powerless, the press corrupt and debased, democracy bankrupt and capitalism on trial, with American civilization tottering. But he also thinks the rich in America work harder than the poor, that American women are not social climbers and seldom marry for money. And Franklin D. Roosevelt he thinks is nearer Confucius in his methods than any other contemporary ruler.

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CRIMES' PARADISE.

By E. E. Kirkpatrick. The Naylor Company
\$2 5 x 8; 252 pp. San Antonio, Texas

This is an account of the recent Urschel kidnapping case told by the man who paid the ransom to the kidnappers. Mr. Urschel, who was released after the payment of \$200,000, was sufficiently alert during his captivity to remember such data as the time of day when an airplane passed overhead and the fact that on one day the airplane did not pass over its accustomed route. He thereby made it possible for Federal agents to locate the region where he had been held, and from other details to capture all the persons involved in the kidnapping, including the well-known "Machine-gun" Kelly and Harvey Bailey. The facts form an amazing story, better than most detective novels. Mr. Kirkpatrick's narrative would have been much better if he devoted less space to prove that kidnappers are bad people, that lawyers are pernicious, and that newspapers ought to leave the job of crime detection to detectives.

EUROPE BETWEEN WARS?

By Hamilton Fish Armstrong. The Macmillan Company
\$1.75 5 1/4 x 7 1/2; 115 pp. New York

A general survey of present conditions in Europe, describing briefly the political situation in Germany, the isolation policies of England, France's attempt to formulate a foreign attitude, and the ticklish problems which have arisen in the Balkans. Mr. Armstrong devotes the last chapter to an attack upon dictatorships which, he says, kill art, imprison science, and cripple civilization as a whole. What most is needed, he believes, is a "dynamic democracy"—dynamic in the economic as well as in the traditional political realm.

THE SCIENCES

YOUR CHILD IS NORMAL. *The Psychology of Young Childhood.*

By Grace Adams. Covici-Friede
\$2 5 1/2 x 8 1/4; 251 pp. New York

A sensible, clearly written and helpful volume on the habits and upbringing of children, covering such topics as "A Child's Inheritance," "Air, Sunshine and Food," "Talent and Training," "Sex and Selfishness," "Punishing Faults." Dr. Adams avoids all technical

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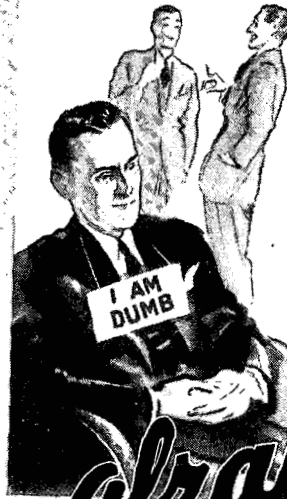
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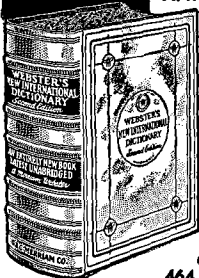
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jargon and says her book "is designed for normal adults. . . . I am thinking of children not as sociological products, laboratory subjects, or psychiatric problems, but as a unique class of human beings." The material on which the book is based is "intentionally selective," and was gathered from the works of Charlotte and Karl Bühler, Jean Piaget, William Stern and others. But "vague and learned theories have been avoided in favor of concrete facts."

PARASITISM AND DISEASE.

By Theobald Smith. *The Princeton University Press*
\$2 5½ x 8½; 196 pp. Princeton

This book consists of the Vanuxem Lectures delivered at Princeton University by the author, who is director emeritus of the department of animal pathology of the Rockefeller Institute. His contributions to pathology have gained him a high place in the world of science, and this book is written with the care and precision which characterize his other work. As an effort to show "the relation between disease and parasitism in its broadest manifestations", this becomes a volume of value to general readers as well as to specialists. The subject matter of this book occupies the fascinating border-land between biology and medicine. The author discusses diseases due to parasites, not only as medical problems but as broad biological relationships in which the human or animal host is no more important than the life habits of the invading bacterium, protozoa or worm. Not only is the subject of interest as a pure science but it also is the basis for the tremendous progress of recent decades in the prevention of infectious diseases.

RUSSIA, YOUTH, AND THE PRESENT-DAY WORLD: FURTHER STUDIES IN MENTAL HYGIENE.

By Frankwood E. Williams. *Farrar & Rinehart*
\$2.50 5½ x 8; 270 pp. New York

The author, who at one time was medical director of the National Committee of Mental Hygiene, believes that Russia has accomplished more in the prevention of mental illness than any other civilized country. This he attributes to the economic and personal security and integrity which Communism has developed to take the place of the strife, exploitation, and hypocrisy which exist under capitalism. It is a very enthusiastic book and the arguments sound very convincing. But a little caution seems in order before we are swept away by what appears to be so amazing an achievement. Mental illness in Russia has diminished in incidence with perhaps too much suddenness. Even Dr. Williams states that his judgments

Continued on page viii

Mary Peters

by MARY ELLEN CHASE

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are based only on tendencies which he has observed. Perhaps we had better wait until the medical authorities in Russia have gathered the clinical and statistical evidence which must soon be published. Then, what is now plausible will be a matter of scientific proof. This book, however, does point an important direction for psychiatrists and mental hygienists in this and other capitalist countries. It emphasizes the futility of so much of their efforts.

HISTORY

EUROPEAN CIVILIZATION AND POLITICS SINCE 1815.

By Eric Achorn. Harcourt, Brace & Company
\$5 6¼ x 9¼; 879 pp. New York

This is by no means just another record of important historical events from the time of Napoleon's abdication and the downfall of the First Empire. Rather is it an "attempt to present a more satisfactory synthesis along the lines of the New History than has so far been offered"—that is to say, an attempt to write a history in which wars and reigns are reduced to their proper proportions, thereby permitting a full exposition of man's cultural activities and scientific achievements as they are seen to develop from period to period. Dr. Achorn is largely indebted to Lamprecht and James Harvey Robinson. He has divided his work into three major sections: the period before 1870, the period between 1870 and 1914, and the period after the outbreak of the World War. There are numerous maps and illustrations, fifty pages of appendices, an exhaustive bibliography, and a very adequate index.

THESE HURRYING YEARS.

By Gerald Heard. The Oxford University Press
\$3 5½ x 8¾; 363 pp. New York

A comprehensive, but not always reliable, history of the world from the beginning of the century to the present time. Mr. Heard has written too obviously from the English point of view, and devotes a disproportionate amount of space to relatively unimportant matters of entirely British significance. His references to America are frequently vague and at all times superficial. But for all these shortcomings the book is highly stimulating and should offer the average reader a fairly general idea of what has been going on about him for the past three decades. The author believes that there is one consistent theme behind the present chaos of civilization, namely, "the increasing consciousness of the human mind, increasing consciousness of a new revolutionary knowledge

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of what outer nature actually is, what the mind's
own nature is, and of the profound, mysterious re-
lationship between them." There is an index.

A BIOGRAPHY OF THE GREEK PEOPLE. By *Cecil Fairfield Lavell*.

The Houghton Mifflin Company
\$3 5½ x 8½; 297 pp. Boston

Mr. Lavell's plan is to sketch the overt acts of
the Greeks as briefly as possible, and to concentrate
attention upon what they thought, whether about
themselves or about the universe in general. The re-
sult is a narrative that gets measurably closer to the
essentials of Hellenism than most previous histories.
There is no neglect of the salient facts, but they are
always related to the theories behind them, and those
theories are stated clearly, succinctly and without
visible prejudice. The chapters on Plato and Aristotle
are very good, and there is an intelligent account of
the development of Greek political ideas. The book is
competently written, and makes pleasant reading.
There are no illustrations, but there is an index.

GERMANY'S HIGH SEA FLEET IN THE WORLD WAR.

By *Admiral Scheer*. *Peter Smith*
\$5 6 x 9; 376 pp. New York

An account of Germany's naval manoeuvres during
the World War, written by the Commander-in-Chief
of the Battle Fleet. The book contains, also, many of
the admiral's personal convictions which he stresses
again and again for emphasis: namely, the belief that
an unrestricted U-boat campaign in 1915 would have
annihilated England and have resulted in a separate
peace which would have insured a German victory
over the Allies; the belief that England displayed a
consistently cowardly attitude on the sea by refusing
to engage the German fleet in aggressive combat;
and, most important, the belief that the German
people were betrayed by a weak and hopelessly in-
efficient national government. Admiral Scheer, as this
impassioned history clearly reveals, was every inch a
man and every inch a fighter. The war probably
produced no single figure on either side who ex-
celled him either in courage or loyalty, in honor or
integrity. There is an excellent index.

BIOGRAPHY

GOLDSWORTHY LOWES DICKINSON.

By *E. M. Forster*. *Harcourt, Brace & Company*
\$3 5¾ x 8¾; 277 pp. New York

No man more rightfully deserves the privilege of
being Dickinson's biographer than does Mr. Forster,
who was not only his literary executor but further-

CHECK LIST OF NEW BOOKS

more his most intimate friend over a long period of years. And yet, as a monument to his achievements both as scholar and humanist, nothing could have been less fortunate than the present work. The author has failed lamentably in his efforts to bring this beloved Cambridge don to life, and the final impression one gathers from these pages is that of an under-sexed book-worm whose spinsterish eccentricities rendered him quaint and charming—who had no interesting vices, and who made a practice of calling certain undergraduates “dear.” The very incidents in the man’s life which rendered him human have been bowdlerized; and the author has carefully excluded such material as might tend to injure his incredibly sophomoric thesis: namely, that G. Lowes Dickinson—Socrates notwithstanding—was truly “the best man who ever lived.” The book should please Dickinson admirers only in so far as it contains rather interesting quotations from letters and other heretofore unpublished material of an autobiographic nature. There is an index.

BENJAMIN RUSH. *Physician and Citizen.*
By Nathan Goodman.

The University of Pennsylvania Press
\$4 6½ x 9½ Philadelphia

Benjamin Rush has been called “the American Hippocrates” and the “father of American medicine”; but these labels mean very little, because early American medicine was rather immature. Rush, its outstanding figure, wrote so brilliantly in defense of bloodletting that his friends believed his immortality was assured for that alone. For his day he was an excellent physician and teacher, but, with the exception of a pioneering treatise on diseases of the mind, he contributed nothing original or lasting to medicine. He was a signer of the Declaration of Independence, directed medical work in the army during part of the Revolution, advocated adoption of the Federal Constitution, and was director of the United States Mint at the time of his death. He was

Continued on page xii

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Continued from page xi

a Presbyterian, an abolitionist, and a fighter for tem-
perance in liquor and tobacco. In short, something
of a Puritan. Mr. Goodman has obviously exhausted
every possible source for material, but his writing,
though careful, is rather lifeless. There are eight
illustrations, a long bibliography and an index.

CURZON: *The Last Phase, 1919-1925.*

By Harold Nicolson.

The Houghton Mifflin Company

\$4.50

5 3/4 x 9; 416 pp.

Boston

This is the final volume of Mr. Nicolson's
brilliant trilogy on modern diplomacy, and deals
primarily with Lord Curzon's unhappy career as
Foreign Secretary. According to this author, Curzon
was considerably more than a mere survival from
the Eighteenth Century—as so many critics have been
willing to believe. Although it is true that he lacked
a sense of proportion; that there were serious gaps
in his strength, and that his approach to all prob-
lems was offensively egocentric, he had, on the other
hand, many supreme abilities. He was a man of
superb memory and insatiable intellectual curiosity.
He possessed an unequalled power of assimilation
and a genius for lucid expression. He possessed, fur-
ther, an indomitable will, coupled with almost super-
human energy. To trace the flaws in his complex
character it is necessary, says Mr. Nicolson, to con-
sider the ascetic penury of his early life, his father's
indifference to his latent abilities, and especially the
self-righteous materialism of the Victorian bourgeoisie
of his day. There is an appendix containing some
general facts about English diplomacy in recent years,
and there is also an index.

LUST FOR LIFE.

By Irving Stone.

Longmans, Green & Co.

\$2.50

5 1/4 x 8 1/2; 488 pp.

New York

Under a title that Hollywood might claim, Irving
Stone has written an excellent book about a difficult
subject—the life and work of Vincent Van Gogh. In
this novel-biography the author has avoided most
of the pitfalls that gape at the biographer. He has
tried neither to deify nor to debunk. He has skirted
the thesis and withstood the temptation to lie; and
he has not tried to schematize the vast jungle of
Vincent Van Gogh's life into an ingenious pattern.
Had this Dutch painter never lived, "Lust for Life"
would still be a good novel—sometimes over-em-
phatic, to be sure, occasionally inadequate—but splen-
did with the inherent power of its subject—the
great painter and fanatic, Van Gogh, who saw the
world as it had never been seen before.

Continued on page xiv



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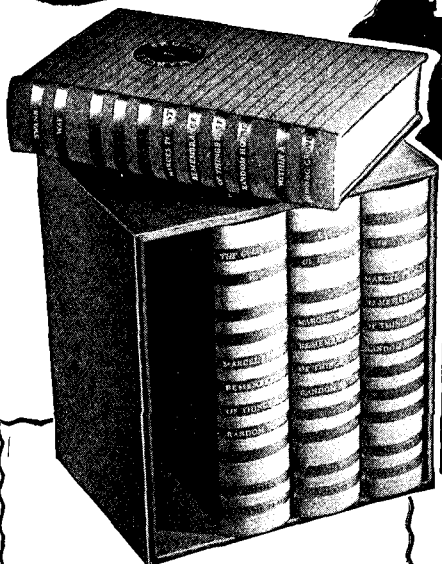
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Continued from page xii

ALEXANDER THE CORRECTOR.

By *Edith Olivier.*

The Viking Press

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5¼ x 8¼; 246 pp.

New York

A biography of Alexander Cruden, the Eighteenth Century Scotsman who wrote the Concordance to the Bible. As the result of a tragic love affair in his youth, something broke in the little man's brain and he became thereafter the self-appointed corrector of England's morals. He made many zealous crusades throughout the country in the name of God and decency, but the only fruit of his persistent efforts was a series of sessions in the madhouse. Miss Olivier has followed closely the details of his fantastic career, and has recreated a careful picture of the London background of the day.

CRITICISM

THE LATER WORDSWORTH.

By *Edith C. Batho.*

The Macmillan Company

\$6

5¼ x 8½; 417 pp.

New York

The legend of Wordsworth has it that, after his great decade of achievement, he lost all his genius and became in personal relations a sour prig and a dour prude, in religion an Anglican fundamentalist, and in politics a black reactionary. Miss Batho succeeds in damaging the legend at every point but she is most successful in correcting the common notion of Wordsworth's later personality. Wordsworth's private character and his manner of life in his later years were fascinating, fine, and touching; it is unfortunate that Miss Batho is so occupied in bringing her scholarship to bear on the older notions that she does not give us more of the flavor and details of that life—the gaiety, the enormous sociability of the literary colony that grew up near Wordsworth, the tragic death of his daughter Dora, the awful irony of the decay of Dorothy. In the matter of religion and politics, Miss Batho, though still successful, does not have so clear a case. She writes from a position that is vaguely Church and enlightened Tory, and she is attacking the Liberal writers who accused Wordsworth of being a renegade. It is quite true that Wordsworth did not become either a black reactionary nor a fundamentalist; what may be fairly said of him is that, keeping much tolerance and much humanitarianism, he subtilized and metaphysicalized his early Liberal views rather than deserted them. Miss Batho refuses to see that, realistically, this change made him in effect if not in intention almost as much of a reactionary as he has been called. There are a complete bibliography and a thorough index.

*Continued in back advertising section,
page xviii*

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The American MERCURY

November 1934

SHADY BUSINESS IN THE RED CROSS

BY JOHN L. SPIVAK

This, to the best of our knowledge, is the first realistic and comprehensive appraisal of the Red Cross activities ever printed. The facts unearthed by the author are of such a nature as to bring surprise and even consternation to the American people who contribute millions annually to the organization. Their money, it seems, has been collected under false pretenses, and they have a right to know why. The Congress of the United States also has a right to know why, for the Red Cross is chartered by it. Congress owes it to the American people to make a thorough investigation of the Red Cross.—THE EDITOR.

Twenty Charges Against the Red Cross

BETWEEN November 11, Armistice Day, and November 29, Thanksgiving Day, every city, town and hamlet in the United States and its possessions will witness the annual Red Cross drive for membership and contributions to its "disaster relief" work.

In the class-rooms of the nation's schools, children will give of their pennies and nickels; in the factories, mills, mines, shops and offices workers will contribute of their meager wages "so sufferers in disaster may be fed and sheltered"; in the newspapers columns of space will whip up the drive; editorials will be written; and speeches will be made. But out of the millions of

generous Americans who will contribute about \$10,000,000, not one in a thousand will know that the money is going to a first-class war machine, which is chiefly interested in preparing for the next war and only incidentally in "relief work."

When I finished my study of Red Cross activities and what it does with the millions of dollars the American people give to it annually, I was left with the inescapable conclusion that the Congress of the United States, under whose charter this organization operates, would do well to inquire into these matters. I cannot, in the space of even a lengthy article, go into great detail, but I can present enough evidence to strip the Red Cross of the saintly cloak it has donned, show it for what it

really is, and leave the rest for an official investigating body to probe to the bottom.

The Red Cross is far from being "The Great Mother" it loves to call itself. I make twenty charges against it:

1. It is essentially a war machine preparing for the next war.

2. It is largely dominated by a military and banking group.

3. It is neither neutral nor non-combatant, as the Treaty of Geneva, signed by the United States, requires.

4. Its nurses sign a military oath which places them in the combatant class.

5. The banking group which largely dominates it is J. P. Morgan & Company.

6. Most of the millions of dollars the Red Cross gathers from school children and working men and women are banked chiefly in Morgan banks.

7. Large sums of money collected from the American people are invested in Morgan controlled businesses.

8. Large sums of money collected from the American people are invested in businesses, whose directors are incorporators of the Red Cross.

9. The Red Cross has an agreement with the New York Trust Company of New York, which it refuses to disclose, under which this Morgan-controlled bank buys and sells millions of dollars worth of securities, in which the Red Cross invests its money.

10. The Red Cross refuses to tell how much it has paid out to this Morgan-controlled bank for handling the accounts.

11. Of the three and one-half millions of dollars collected from school children and workers last year for relief work two and one-half millions were spent on salaries, travelling expenses, maintenance of the war machine, etc., as against one million dollars for actual relief.

12. The Red Cross set aside \$4,000,000

collected from the people "to feed hungry Americans" for a special war fund.

13. Despite its publicised "internationalism" and "humanitarianism," Judge John Barton Payne, head of the Red Cross, states that this organization is to be used first for the government, and second for humanity.

14. In its post-war relief the Red Cross collected millions to feed starving foreigners, but it used that money for military purposes to help fight forms of government it did not like.

15. The Red Cross has forced starving Americans as well as foreigners, for whom our generous people contributed millions for food, to work without pay for this bread for private employers.

16. The Red Cross has collected money from workers to buy food, and then used it to discriminate between strikers and non-strikers.

17. Where Morgan-Mellon interests are concerned the starvation of striking miners is not an "act of God," though the Congressional charter says nothing about giving relief only when hunger is caused by "acts of God."

18. In distributing relief after a disaster, the Red Cross will spend much more money than is necessary in order to give profits to local store-keepers in the disaster area.

19. When the Government gave the Red Cross millions of dollars' worth of wheat to distribute to American drought sufferers, "The Great Mother," instead of spending some of the millions she collected from the people, spent one-third of this wheat money for expenses and distributed to the people only two-thirds of the government wheat.

20. Even in relief, in a disaster area, the Red Cross draws distinctions between the poor and the well-to-do, the instructions be-

ing to distribute relief "according to the pre-disaster living standards" of the recipient.

Before we proceed with a detailed examination of Red Cross activities and financial operations, let us briefly survey the organization's history, its original purposes, growth and development.

II

History and Organization

On June 24, 1859, at the battle of Solferino, 170,000 Austrians fought 150,000 French and Italian troops. Under the burning sun 40,000 men lay dead and another 40,000 lay moaning from their wounds, with no one to give them even a drink of water.

A young Franco-Swiss, Henri Dunant, disguised as a tourist, watched the battle and saw how military leaders lost all interest in the soldier once he was dead or incapacitated by wounds. When the battle was over, the compassionate Dunant gathered a small group of women from the neighboring towns and returned to the battlefield to do what they could to alleviate the pain of the dying and to give the slightly wounded some sort of attention.

Three years later, with memories of that horrible day deeply engraved in his mind, Dunant returned to Geneva, and wrote and published a pamphlet, "Un Souvenir de Solferino," in which he asked, "Would it not be possible to found and organize in all civilized countries permanent societies of volunteers which, in time of war, would render succor to the wounded without distinction of nationality?"

The "Souvenir de Solferino" was read widely and aroused considerable feeling everywhere against the barbaric indifference of the military to their own soldiers once they were wounded and consequently useless in war. Gustav Moynier, president

of the Society of Public Utility in Geneva, a semi-philanthropical organization close to the government and military forces, mulled over the pamphlet and finally extended an invitation to various European countries to send representatives to a conference at which they could discuss ways and means of putting Dunant's ideas into operation. Fourteen European governments and seven philanthropic societies sent delegates, and in October, 1863, what is now known as the International Red Cross was born. The Red Cross flag is the Swiss flag with the colors reversed, and was chosen as a mark of courtesy to Switzerland.

The increasing horrors of war and the lack of suitable medical attention were at this period in world history awakening bitterness against war among both soldiers and civilians, a bitterness which threatened the stability of a rapidly developing industrial capitalism. Political leaders, fully aware that with foreign markets developing wars were inevitable, saw in this move a possibility to alleviate some of the horrors of war, to guarantee to the wounded some sort of care, and to establish contacts between the civilians at home and the soldiers in the field. As Dunant expressed it, "What Prince, what ruler, would refuse his support of these societies, and would not be glad to give the soldiers of his army the full assurance that they will be immediately and properly nursed in case they should be wounded?"

When the Swiss Federal Council, supported by Napoleon III, extended an invitation to twenty-five sovereign states, asking them to send official representatives to a diplomatic convention, thirteen European nations and the United States accepted. These drew up the International Red Cross Treaty.

The American delegates were not au-

thorized to sign. This country was then too engrossed in its own Civil War. The unofficial American delegates came from the United States Sanitary Commission, which had been established to work out its own problems about the wounded in the Civil War. Upon their return, they made their report to Secretary of State Seward, who ignored it.

In 1881 Clara Barton who, though not connected with the United States Sanitary Commission, had done some individual relief work during the Civil War, interested President Garfield and James G. Blaine, then Secretary of State, and in July of that year the American National Association of the Red Cross was incorporated under the laws of the District of Columbia. While steps were being taken to join the International Red Cross, Garfield was assassinated, but President Arthur, on March 1, 1882, signed the Treaty of Geneva, and the Senate a few days later confirmed it. By then thirty-one nations were members.

In the two decades that followed the American National Association of the Red Cross was a small committee with little power and still less money. During the Spanish-American War its value as a medium to lessen the horrors of war and to gain the sympathy of enemy civilians by feeding them was definitely established, and in June 1900, the Red Cross Association was re-incorporated by an act of Congress. This act proved unsatisfactory for various reasons, chiefly because the Federal government was not definitely connected with the organization. So the old corporation was dissolved and a new charter was granted by Congress and approved on January 5, 1905 by President Roosevelt. It is under this charter that the Red Cross functions today with the exception of some minor changes made by Congress in later

years. The charter was drafted by Miss Mabel T. Boardman, who is today secretary of the Red Cross.

The obligations Congress placed upon the Red Cross, specified in the charter, are:

To furnish volunteer aid to the sick and wounded of armies in time of war. . . .

To perform all the duties devolved upon a national society by each nation which has acceded to the Treaty of Geneva. . . .

To act in matters of voluntary relief and in accord with the military and naval authorities as a medium of communication between the people of the United States of America and their Army and Navy. . . .

To continue and carry on a system of national and international relief in time of peace and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, floods and other great national calamities, and to devise and carry on measures for preventing the same.

In 1905, after more than two decades of work, the Red Cross had a total membership of 3,337. No one paid much attention to it until after the San Francisco earthquake. Its greatest spurt in membership, influence and wealth came during and after the World War. Today there are 3,701 chapters with a total membership, including the Junior Red Cross, of almost 10,500,000, or about every twelfth person in the United States.

From the very beginning Congress placed the organization in the hands of a select group by providing that the governing body "shall consist of a Central Committee numbering eighteen persons, six to be appointed by the President of the United States, one of whom shall be designated by him as chairman and one each to be named by him from the Departments of State, War, Navy, Treasury, and Justice; six to be elected by the Board of Incorporators of the Red Cross, and six to be elected by the Red Cross chapter delegates."

In this charter Congress named sixty persons listed by Miss Mabel T. Boardman, as the incorporators of the Red Cross. They were powerful financial, political and military figures. After the charter was granted the Red Cross promptly proceeded to sew up this select body to make sure that it did not slip out of the control of the financial, political and military group by baldly incorporating in its by-laws the following provision: "The persons named in Section I of the Act of Incorporation (the incorporators), with their successors, constitute a perpetual body. Any vacancy which may occur among the Incorporators shall be filled at the next meeting."

This immediately nullified the votes of the six elected by the Red Cross chapter delegates to the Central Committee. Assuming that there was wide-spread dissatisfaction at the way the Red Cross operated and assuming that the chapter delegates wanted certain action which the government and the financial, political and military leaders opposed, the Red Cross Central Committee could count on twelve of the eighteen votes: six representing the government and six representing the self-perpetuated body of incorporators.

Today, though the Congressional charter did not provide or give authority for it, there are sixty-five persons among the incorporators. I do not know when the extra five persons were slipped in or who they are except one: William Green of the American Federation of Labor. Which of the sixty-five are the other four and why they were slipped in, perhaps Congress can find out.

During the years preceding the World War the Red Cross struggled along, doing a little relief here and there and getting a little publicity. With the entry of the United States into the war "to save democracy," Henry P. Davison, a partner in the

House of Morgan, was appointed head of the Red Cross, its chief administrator, executive and organizer. He immediately appointed a War Council as dictator of the Red Cross. This dictatorship has been in power ever since the Armistice. It is from this period that control of the Red Cross by finance was made air-tight.

An analysis of the personal interests of the sixty-five persons who today constitute the self-perpetuating body of the Red Cross incorporators discloses the following:

28 are either presidents or directors of banks.

12 have no specific banking and military interests, though the connections are very close, such as Mrs. Henry P. Davison, widow of a former Morgan partner, and Mrs. Leonard Wood, widow of a former U. S. Army General.

11 are politicians with close banking and military interests, such as United States Senator James Couzens, and ex-Secretary of War Newton D. Baker.

4 are definitely military (general, admiral, ex-American Legion Commander).

3 are men of God, one a Major in the Officers Reserve Corps.

2 are business men, one a Pittsburgh coal operator.

2 are lawyers, one a director of banks.

2 are university professors.

1 is a conservative labor leader noted for his "patriotism."

Of the eighteen persons on the Central Committee, which Congress provides shall run the organization, an analysis of the personal interests shows:

5 are government men.

5 have direct banking connections, one of these being a government man.

1 is the wife of a banker.

1 is a society woman with banking connections.

1 is a Red Cross employé.

2 are business men.

1 is a lawyer.

2 I could not identify.

It is plain, then, that Finance and the military have the Red Cross hog-tied. These persons decide the organization's policies, and these policies must inevitably be those which tend to maintain the status quo even at the expense of human lives. Of this, more anon. At present let us consider the Red Cross as primarily a war machine.

III

The Red Cross as a War Machine

In 1930-31 more than a score of States were afflicted with a drought which brought misery, hunger and destitution to a large portion of our population. By August, 1930, it was apparent that the country faced a serious situation, and a meeting of the Governors of the affected States was called. At this meeting, Judge John Barton Payne, appointed by the President of the United States as head of the Red Cross, pledged "The Great Mother" to relief work.

The Red Cross set aside \$5,000,000 from its disaster reserve for the necessary expenditures. By January, 1931, the Red Cross decided that these \$5,000,000 would be insufficient to meet the needs of the destitute people, and requested the President of the United States to issue a proclamation asking the people to contribute \$10,000,000 for additional drought relief. The President, who is *ex-officio* president of the Red Cross, promptly complied.

Within a few months the American people, always noted for their generosity, contributed \$10,500,000. The money came from the mills and the mines, the factories and the offices. School children brought their pennies so "other children may eat."

While these millions were being collected from the people, the Red Cross Central Committee met in April, 1931, and decided that the relief needed only

about \$10,000,000. This decision left \$5,000,000 of the people's money in the Central Committee's hands, so the Red Cross decided to re-appropriate these millions. They re-appropriated the money in this way:

One million dollars was set aside for disaster relief work, and four millions of dollars—money at that moment being contributed by Americans to feed their hungry fellow countrymen—were set aside as a special war reserve fund!

When an organization will take the pennies of school children and the dollars of hard-working men and women under the guise of needing them to feed hungry Americans and set these accumulated millions aside for a war fund, it is time to ask precisely what its military connections are.

The Congressional charter specifies that this organization "shall furnish volunteer aid to the sick and wounded of armies in time of war. . . ."

The Red Cross is supposed to be a neutral body engaged in humanitarian work. Through a highly developed publicity machine on which it spends thousands of the dollars annually contributed by the American people, it has made its name synonymous with "humanitarianism" and "service to the destitute, hungry and homeless." Actually, the Red Cross is not neutral either in time of war or in time of peace.

In the official "The American National Red Cross" we find the following:

When Congress declares war on another nation, however, the American Red Cross as has been shown, becomes an emergency arm of the United States Army Medical Corps, and portions of its personnel are assimilated thereto. Thus, after April 6, 1917, American Red Cross relief among the Central Powers was no longer offered or welcomed, and the Society's efforts in

foreign civilian relief were confined to sufferers of allied nations.

This change from original humanitarian to imperialist intentions was inevitable and will be more inevitable in future wars, because the Red Cross today is essentially a highly developed special arm of the military forces of the United States.

A representative from the Army and another from the Navy are on its Central Committee, according to law. A liaison officer representing the Army and Navy is constantly stationed in the Red Cross headquarters in Washington. The books of the Red Cross, also according to law, are audited by the War Department. So close is the connection with the government that the Red Cross building is on government land and is exempt from taxation.

In peace time, the military function of the Red Cross, judging from its expenditures, is considered more important than its civilian function. The Red Cross uses much of its advertised Red Cross nursing service and home service to dissipate the horrors of war among ex-service men. This military aspect is seen in a comparison of the number of Red Cross chapters which participated in home service to ex-service men and their families and the number which participated in the same kind of service to civilian families:

Last year 3,268 chapters took care of home service for ex-service men; and only 506 chapters extended the same service to ordinary civilian families.

Though last year was the fourth of the worst economic depression the country ever witnessed, with millions of unemployed and hungry, only 1,611 Red Cross chapters participated in emergency relief work as against almost three times as many which participated in dissipating the memories of war for ex-service men and their families!

In its official 1933 report the Red Cross states:

The Bureau of Army Affairs has continued to cooperate with Chapters and National Headquarters in coordinating the work of the organization for service and ex-service men with that of the War Department. All new regulations and orders issued by the War Department bearing upon Red Cross service are cleared through this bureau and instructions based thereon are prepared and sent to Chapters. . . .

As in previous years, the Bureau continued as liaison between National Headquarters and the Navy Department on matters requiring coordination with the various branches of the Navy, including Marine Corps headquarters.

These facts are not generally known. I think the American people should know them.

In 1911 the Red Cross got the President of the United States to issue a proclamation designating it as the only volunteer relief agency permitted "to render aid to the land and naval forces of the government in time of war." Regulations were later issued by the Secretary of War making the Red Cross Nursing Service the reserve of the Army Nurse Corps. A similar relation was established with the Navy Nurse Corps. These regulations provide:

(1) Reserve nurses of the Army Nurse Corps are appointed by selection from the roster of enrolled nurses of the American Red Cross Nursing Service.

(2) Reserve nurses will be called to active military duty in accordance with such procedure as may be mutually agreed upon from time to time by the Surgeon General and the proper Red Cross authorities.

The Red Cross nurse, advertised and publicized as a non-combatant, has to sign a military oath which places him or her in the combatant class and destroys all pretensions to neutrality and humanitarianism for the victims of war.

"Red Cross nurses," the official instructions to them read, "are expected to respond in the event of war. . . . When called upon for military service, they will be required to take the Oath of Allegiance specified in military regulations, as follows:

"I,, of in the County of and State of, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

Nowhere in the instructions to nurses is there any mention made by the Red Cross that the nurse is a non-combatant who is expected to succor the wounded on any side for humanity's sake.

IV

Judge Payne Explains Everything

The Red Cross headquarters in Washington is a beautiful white marble building not a stone's throw from either the White House or the War Department. There is a hushed air about it and you enter with a feeling almost of awe. Here "The Great Mother" functions. Here is Humanity.

In its wide and spacious halls you tread softly up the winding stairway and pause to look at the great paintings on the walls. There is the beautiful Red Cross Nurse kneeling beside a wounded doughboy with a bloody bandage around his forehead. There is something so cool, so compassionate about this nurse and I stand there for a moment wondering why all soldiers get wounded in the forehead. I have never

seen a picture of a Red Cross Nurse holding a soldier's intestines as they dribbled from his belly torn open by a shell. Or picking up a hand from a barbed wire fence after the rest of the body had been shot away.

When you top the stairs, if you are at all touched by feminine beauty, you stop breathless at the vision of loveliness in white which seems to float from one of the high walls. She is the Spirit of the Red Cross, pure and white and beautiful. And with these to guide your passage you enter the hushed offices of Judge John Barton Payne, chairman of the Red Cross.

The judge welcomed me with a very friendly air.

"I have a few questions I should like to ask," I said.

"By all means. By all means," he beamed.

"Which does the Red Cross consider its most important duty: war relief or civil relief?"

The judge shot a surprised look at me and answered shortly: "Civil."

"Is the Red Cross essentially an arm of the government's military forces?"

"The government," said the judge, weighing his words carefully, "when we went into the war provided for recognition of the Red Cross as the only authorized body to care for the wounded. It even provided that Red Cross officers be given military rank. I, for instance, if a war were to be declared tomorrow, would immediately become a Major General. This military status was granted by an act of Congress. But," he added quickly, "it prevails only in time of war. We have no earthly connection with the War Department now."

"I see," I said, thinking of the Army and Navy liaison officer I had passed on my way up the stairs. "Is the Red Cross so organized that it can step in for war service at a moment's notice?"

He nodded slowly.

"How much time do you estimate the Red Cross would need to be ready for war service?"

"We could start tomorrow. We have thousands of nurses with the definite understanding that they will respond to telegraphic communications. We could have 10,000 nurses here in three days ready for war service."

"During the World War, a War Council took over the Red Cross. Is the organization so organized that a War Council, such as existed during the war, could take charge quickly?"

"It certainly could," he said emphatically. "It would have to be done by a Presidential proclamation, of course. There's nothing in our charter to provide for a Council. But under existing conditions it wouldn't be necessary. We have the power to function as a War Council and could take charge immediately."

He chuckled and added, "The Red Cross in 1917 was greatly different from what it is now."

"Does the Red Cross consider itself an organization of non-combatants?"

"Oh yes!" he exclaimed. "Exclusively so."

"Would it render equal service to the wounded of an opposing army?"

"Oh, yes!"

"Would it supply food to the civilian population of an enemy country if those civilians were starving and food would be permitted through?"

"Yes," he said.

"But wouldn't that encourage the enemy? If we were at war with an enemy country and the Red Cross supplied food to its starving civilians, wouldn't that encourage the civilians to continue their war activities which would hurt our own soldiers?"

"I suppose so," he said slowly. "But that is of less importance than that the civilian population should die from starvation. But, of course," he added cheerfully, "we can't always go in. If our government authorized us to do it, then we'd do it. If our government said 'No,' that would settle it. We do not carry on any international work independent of our government."

"Well, then, which does the Red Cross consider comes first: humanity or the government?"

"The government," said Judge Payne definitely.

"Would the Red Cross approve of its nurses taking an active part in the defence of our soldiers against the enemy, if our soldiers needed such help?"

The head of the non-combatant Red Cross laughed.

"I rather suspect that that's something the Red Cross would never see!"

I was writing down his answers, and he rose from his chair and tapped vigorously on his desk.

"Of course, that's something the nurses have no right to do," he added. "But I've said all I'm going to say on that."

"But doesn't the oath that a nurse has to sign place him or her in the combatant class and thus establish them definitely as military combatants?"

"Oath!" he exclaimed. "I know of no such oath. Where did you see such an oath?"

"In your official instructions to nurses."

"Well, that's a government oath," he said irritably. "It's a question I've never had put to me before. Under the Treaty of Geneva they are definitely non-combatants and are protected as such by all enemy forces."

"I see. Does the Red Cross carry on any kind of anti-war propaganda?"

"None."

"Why not? Aren't you opposed to war?"

"The Red Cross is not a propagandist organization—except as our own campaign for members constitutes propaganda."

"But you carry on propaganda campaigns of an educational nature like campaigns on health and nutrition. Why not anti-war propaganda?"

"We do not consider ourselves a propaganda organization," he repeated vigorously. "The Red Cross has no religion, no nationality, no partisanship. Its distinguishing mark is Service."

"But your nursing regulations provide the nurse must be an American citizen and must sign to defend the Constitution of the United States. Doesn't that closely border on nationalism?"

"The Red Cross requires no nurse's oath!" he exclaimed. "That's a government regulation!"

"Your official story of the Red Cross says that when we entered the World War we ceased offering aid to the destitute and starving enemy peoples and confined all our aid to our Allies. What happens to non-nationalism in war time?"

"I suppose if there's a difference between our national requirements and the Treaty of Geneva, why, we'd have to be governed by circumstances."

"Which means that humanity would become a scrap of paper?"

Judge Payne did not answer.

V

"Relief" in Foreign Countries

Wars result from economic rivalry between nations; hence, the military is a first line of defence for finance and business. Naturally, it is to the interests of business and finance to maintain the economic system under which they make their profits.

Consequently, when business and its right-hand maid, the military, control a vast organization, it is inevitable that this organization be used for its own interests. This is what happened with the Red Cross during and after the World War when the War Council, headed by Henry P. Davison of J. P. Morgan & Company was its directing genius and virtual dictator.

Such things as constitutions and specific powers granted by Congress mean nothing under a dictatorship, and Robert W. deForest, one of the Red Cross pioneers, tells how "The Great Mother" was turned over to J. P. Morgan & Company during the war. I quote Mr. deForest:

Then came our entrance into the Great War. It was a situation for which the organization of the Red Cross was not adequately prepared. It seemed to require exceptional and even revolutionary measures. The personnel of the Executive Committee and Central Committee was not such as to secure the best results under war conditions. It was at this juncture that we secured the leadership of Henry P. Davison, with his large vision and his extensive relations to men of business ability and large means.

The proposal was to organize a War Council, an entirely extra-constitutional body, and to devolve upon this self-constituted council all the functions of the Red Cross in time of war. Mr. Davison's willingness to serve and to organize this council depended upon the consent of his partners in the firm of J. P. Morgan & Company and upon the invitation of President Wilson.

I recall attending an historic meeting in the office of J. P. Morgan & Company when Mr. Davison requested the permission of his partners to undertake this work, and I urged their consent. This permission was accorded, provided President Wilson as President of the Red Cross, as well as President of the United States, invited Mr. Davison to organize this council.

I recall an historic interview with President Wilson in the White House at which

he was urged to invite Mr. Davison to organize the War Council and did so with power to choose his associates.

The action of Mr. Davison and the Council is a matter of history on which I certainly need not dwell. Suffice to say that it was an entirely extra-constitutional body, a species of dictatorship entirely unprovided for either by our charter or our by-laws. But it eminently worked. After the organization of the War Council I confined my duties, as member of the Executive Committee, to ratifying under our by-laws all the action of the War Council which was reported to us, thus making the action constitutional. During the War, the War Council was the Red Cross.

A nation in time of war, on the claim that her life is at stake, makes such actions understandable, even though unconstitutional, so I shall not touch upon Red Cross activities during the war for this very reason. I quote Mr. deForest only to bring out that the organization was turned over to a partner of J. P. Morgan & Company, whose firm had loaned many millions of dollars to the Allies to protect which we went into the war. The importance of turning the Red Cross over to a Morgan partner will become a little clearer when we come to the financial structure and operations of the Red Cross today.

Almost immediately after the war the newly formed revolutionary Soviet Government was surrounded by White Russians attacking it on half a dozen fronts. Foodstuffs were not permitted to reach millions of starving Russians. As early as 1919 William C. Bullitt, at present American Ambassador to the Soviet Union, came from Petrograd with peace proposals and told the Allied Councillors, one of whom was Herbert Hoover, recently President of the United States and at present vice-president of the Red Cross, that "the blockade by land and sea is the cause of this distress."

Mr. Hoover was then chairman of the Allied Supreme Economic Council which was enforcing the trade and food blockade of Russia, and he was also chairman of the American Relief Administration which worked hand in glove with the American Red Cross. Instead of listening to Bullitt and other internationally known students of the conditions, Hoover withheld food and issued statements that the cause of the famine was the breakdown of industry in Russia as a result of Socialism. But the American Red Cross was not altogether asleep. It collected money to feed the starving Russians, but it did strange things with the money.

At this period Admiral Kolchak was straining every nerve to attack the new Soviet Union in Siberia. I shall let Major General William S. Graves, in charge of the United States Military forces in Siberia in 1919-20, tell what part "The Great Mother" played in its humanitarian work of feeding the distressed people of a starving and broken land:

I am sorry to have to record this fact, but truth demands that I state that the American Red Cross in Siberia was acting as supply agent for Kolchak. These supplies included hospital service. The American Red Cross ran hospitals exclusively for Kolchak people. . . . The second activity was the ordering of medical supplies through the Red Cross for the Kolchak government . . . drugs and medicines to the value of at least two millions of dollars.

While the British were supplying Kolchak troops with uniforms, the United States, through the American Red Cross, was also supplying Kolchak troops. A dispatch from Dr. Teusler, head of the American Red Cross at Irkutsk, as recorded by Major General Graves, reads:

"Please inform Mr. Souskine we are purchasing 300,000 suits of cotton underwear

for [White] Russian Army in China and Japan. Will inform him later regarding second 300,000 suits ordered in America."

The millions going for these war supplies against a country whose system of government was disliked and feared by American business, were collected from the American people under the guise of needing it to feed hungry women and children in Soviet Russia. This, I submit, is hardly humanitarianism.

Major General Graves comments upon the politics running "The Great Mother" in its humanitarian work:

I had been furnishing guards for Red Cross trains. . . . This put the American troops in the position of issuing supplies for Kolchak troops. . . . I wonder what the outburst would have been if Americans had been discovered giving anything to the Bolsheviks. . . .

While Colonel Morrow was in China at Semeonoff's headquarters, he saw an American Red Cross train, with the doors of the cars wide open and Semeonoff's soldiers helping themselves to the Red Cross supplies. . . .

From the Northern Baltic, descending on Petrograd, marched General Judenitch; from the South came General Denikine into the Ukraine and General Wrangel through the Crimea, each supported with Red Cross supplies. When Kolchak, Denikine, Judenitch and Wrangel were defeated by the Red Army, the American Red Cross once more coöperated in efforts to overthrow the Soviet Union, this time through Poland. In the United States the Red Cross pleaded for money to feed the starving Polish children and used considerable portions of that money for military supplies for the Polish Army. The starving children of Germany and Austria were forgotten. Wherever possible the Red Cross concentrated on getting food into whatever country was launching a new

attack on the Soviet Union. Millions of dollars' worth of American Army supplies were turned over to the Polish Army, and the Red Cross established relief stations behind the Polish forces. Whenever Polish military detachments had to evacuate, the Red Cross, rather than let food-stuffs and medical supplies fall into the hands of the Russians, destroyed them. I state these matters as bald facts. The American people have a right to know for what their money was used. They donated \$23,000,000 specifically for the starving children of Austria, Germany, Armenia, but most of the money was used for military purposes in Poland.

Late in 1920 the famine in Russia became so serious that the Red Cross could no longer ignore it. There was considerable criticism in the newspapers at the failure to feed these starving Russians after millions had been collected for that purpose, so Mr. Hoover began to feed those parts of Russia which were still controlled by White armies. The starvation in Soviet territory was ignored. International personages issued pleas to the world powers, and in response to those pleas Orlando, Clemenceau, Lloyd George and Woodrow Wilson, president of the Red Cross, finally agreed to permit the starving to be fed by the International Red Cross provided the Russians laid down their arms!

This offer was made when the Allies were still financing Kolchak, Denikine, *et al.* For the Russians to accept food on the basis of laying down their arms meant that the White armies could overrun Russia and overturn the newly formed Soviet Union. Food on this "neutral humanitarian" basis was refused by the Soviet Union. What sovereign, self-respecting nation would accept relief on this basis?

By June, 1921, the Russian famine had

become one of the worst in history. Maxim Gorky issued an appeal "To All Honest People," which received such wide attention that the American Red Cross could no longer ignore the deliberate starving of millions as a measure to overthrow a government which American business did not like. Criticism was too great in the American press.

It happened at this time that there was a great deal of grain stocks in the Middle West which threatened the stability of the grain market. If the bottom dropped out of this market the already angry farmers would be angrier and register their feelings at the next election. If this grain could be got rid of, it would pacify the critics who were shocked by the callousness of letting millions starve, as well as pacify the farmers.

At the same time Lenin had announced the New Economic Policy, which permitted some foreign concessions to operate in Soviet territory. In May, 1921, the Russo-Asiatic Corporation, in which Mr. Hoover had enormous interests and stood to make great profits, opened negotiations with the Soviet government to regain property confiscated after the revolution.

With local politics at home and personal interests in Russia at stake, Mr. Hoover suddenly decided to feed the starving Russians in Soviet territory. The American Red Cross supplied \$3,600,000 worth of medical supplies and the American people breathed easier.

But—the surplus in the Middle West was in corn instead of in grain. Corn, when eaten by the semi-starved causes irritation of the intestines, fatal hemorrhages and dysentery, but "humanity" demanded that the Mid-West farmers, stuck with their supplies of corn, be pacified, so Mr. Hoover bought corn instead of grain over the protests of relief administrators in

Russia. The corn shipped into Russia took additional thousands of lives.

In desperation at this "humanity" the Soviet government advanced \$12,000,000 for grain seed, explaining that it must leave America not later than January to get to Russia in time for Spring planting. Of the seventeen ships which carried the seed only one left early enough for the planting.

The seed which had been paid for was held up until it was too late to put in the ground, and the famine extended into 1923.

Out of this relief money expenses had to be paid. Certain Mid-West railroads showed a willingness to carry supplies free with government permission, but "The Great Mother" made no effort to get even reduced rates. Nor were United States Shipping Board vessels, lying idle in the Hudson River, which could have been got for little or nothing, used. "The Great Mother" used only private shipping company vessels, which almost immediately boosted prices \$3 a ton!

By handing these juicy profits to the railroads and shipping companies, almost 40% of the Russian relief funds were used up for transportation expenses. Only a fraction of the relief eventually reached the millions of starving Russians.

And then, with startling suddenness, all relief stopped, though 5,000,000 shadows of human beings were still walking around, slowly dying of starvation. Mr. Hoover decided to cut off aid on October 25, 1922, exactly two days after the Russo-Asiatic company, in which he had large interests, failed to come to terms with the Soviet government!

In 1923 Japan was visited by a terrible earthquake which destroyed large sections of Tokyo and other cities on the coastline. The American Red Cross, working with

the International Red Cross in coöperation with the Japanese government, concentrated on giving proper relief, first to the families of the nobility and the middle class. The working class was almost completely neglected.

Money given generously to the Red Cross to feed the hungry, clothe and shelter the homeless, is frequently used in the United States and almost always in foreign countries, to force the starving to work for private employers for little or nothing.

In 1920 the American Red Cross appropriated \$1,000,000 for famine relief in China. "The Great Mother" took this money, given her by the American people to feed the starving Chinese, and forced 160,000 of them to build 850 miles of highway, dig and line 3,650 wells for private property owners, and plant 40,000 trees. In return for this work the Chinese were paid with a daily ration of food cereals.

In 1927 famine again swept over China. The Chinese Soviets were at that period making great gains and threatening the stability of Chinese capitalism and American foreign investments in that country. The Red Cross deliberately withheld aid for a long time. Millions of Chinese workers and peasants ate grass and earth. Foreign correspondents who visited the famine area cabled horrible pictures of the suffering: tales of cannibalism, parents selling their children—anything for a bite to eat.

By 1929 continued droughts so aggravated the famine that the American Red Cross was forced to give an explanation for its refusal to aid. "The Great Mother" said she could not help because:

"China's population will double unless checked by famines, epidemics and wars, and China (in contrast to other nations) will not get new land."

VI

How the Money Is Distributed

"Acts of God", though the charter Congress granted the Red Cross does not mention them, are interpreted by "The Great Mother" according to the economic needs of the employing class. Even in the misery of hunger and homelessness, the Red Cross always makes every effort to maintain the class distinctions.

In the handling of relief for disaster sufferers the organization specifically provides for aid on a class basis. I quote the official instructions from "The American Red Cross Disaster Relief Handbook":

"The Red Cross in seeking to reestablish pre-disaster dealer-customer relationships advises that each beneficiary select his own merchants. . . . The Red Cross has three standards whereby merchandise is selected; *viz.*—the fairness of the price, the need of the beneficiary, and his pre-disaster living standard."

With relief distributed on this basis, let us see from whom the Red Cross gets most of its millions of dollars and how these millions are used.

The organization's chief source of income is the annual Red Cross membership roll call. From the factory and the office, the mill and the lumber camp, the railroad yard and the lonely farm, and the nation's school rooms, some 10,500,000 adults and Junior Red Cross members make their contributions. Occasionally business houses send in checks to the local Red Cross chapter, but the overwhelming majority of these millions of dollars comes from the average American citizen, whose generous nature has been touched by heart-rending appeals to give for "disaster relief." Then there are large and small bequests given or left to the organization or its chapters

for "relief work." These constitute the chief sources of income except in unusual emergencies when the Federal government appropriates money for the organization to distribute in the form of food and clothing.

The various chapters keep for their local use all but fifty cents of each dollar or more which they get for memberships, besides the special contributions given them. The fifty cents goes to the national headquarters. Last year the various chapters thus obtained \$8,300,000 and the national headquarters obtained \$1,818,000. Altogether then, the American people contributed about \$10,000,000 to the Red Cross last year.

I shall consider only the national headquarters' expenditures. The various chapters spent all of their \$8,000,000 and the reports as to how the money was spent were mailed to the headquarters, and audited by the War Department, but the audit was not made public.

To the sum national headquarters received from membership dues was added interest on the various investments in the custody of the Red Cross, which totalled another million dollars. Special contributions for disaster relief came to almost \$680,000. Other contributions for special funds, etc. amounted to over \$50,000. Thus altogether national headquarters had \$3,550,000 to spend last year.

In its latest annual report (1933) the Red Cross headquarters reports that for actual relief it spent a little over one million dollars. For salaries, office expenses, travelling, correspondence, etc. it spent two and one-half millions of dollars.

Figures often make dull reading, so I shall give only a few of the Red Cross headquarters' expenditures. I think they will give the reader a notion of where the dollars and pennies collected for "disaster relief" go:

Activities common to all service . . . \$1,044,000

(This includes items like \$413,000 for salaries for general supervision, travelling field representatives, etc.; \$179,000 to direct last year's roll call to collect the \$10,000,000 from the people and does *not* include the local chapters' expenditures for this purpose; \$192,000 for the headquarters office administration; \$63,000 for the upkeep of a comparatively small building for which no taxes are paid; \$45,000 for publicity, etc.)

Service to disabled veterans \$530,000

(This consists chiefly of salaries paid men and women to write letters for ex-service men, straightening out their claims against the government and generally keeping them from becoming embittered at what the war did to them.)

Health service \$300,000

(This consists of items like \$141,000 in salaries to nurses and doctors, chiefly nurses, to teach life saving methods; \$113,000 to teach people with no food how to get the most out of foods; \$10,000 to supervise this health service; and \$32,000 for clerical work to keep the files of the nurses up to date, ready at a moment's notice for war work.)

For the supervision and activities of

the general management \$171,000
(\$88,000 of this went in salaries for accounting the millions the Red Cross and its chapters gather and spend; \$41,000 for the office of the vice-chairman in charge of domestic operations, etc.)

These items offer an excellent idea of how two and one-half millions of dollars are spent as against one million dollars for actual relief for which the money was collected. A detailed study of the expenditures of the various Red Cross chapters, which Congress could easily obtain, would, I believe, show similar uses of the millions given by the people. I do not think that in this article it is necessary for me to give fuller details. The reader who is interested in more can get them by writing to the Red Cross headquarters for the current annual report. It will be sent to him free.

Now that the reader has seen how half a

million dollars is spent on this and a quarter of a million dollars on that in the work of "service and humanity" it is time to record what "service and humanity" did after the great flood in Harbin, China, where American business has scarcely any investments.

In 1932, when the Sungari River overflowed, 100,000 Chinese and 30,000 Russians were driven from their homes. There was hunger, destitution, danger of cholera and widespread misery. America's "Great Mother" was touched. She rushed to the aid of the stricken 130,000 people with a contribution to aid the sufferers. It is listed in its annual report thus:

Harbin, Manchuria Flood.....\$1,000

Greece, where American business has scant investments, was visited in 1932 by serious earthquakes: 150 were killed, 350 were injured; 3,500 houses were destroyed. Again "The Great Mother" rushed in to help with the millions of dollars America gives it annually for disaster relief. The official report says:

Earthquakes in Greece.....\$1,000

VII

"Aid" to the Destitute

Without intensive publicity to build the legend of its "humanitarian" work the Red Cross could never have achieved its tremendous membership nor collect the vast sums from the people. Publicity is necessary, so instructions on how to get into the newspapers are given to all Red Cross chapters. The official instructions read:

It is important that Red Cross action in disaster be reported in the *first* [their italics] news dispatches of the catastrophe. The news must be supplied at the scene of the disaster, and supplied quickly. Therefore, the chapter official in charge of the

relief work should immediately get in touch with the newspaper men—the correspondents of the press associations and the local reporters (often a local reporter is also a press association correspondent)—and tell them the chapter is prepared to provide relief.

As soon as the chapter is actually assisting the disaster sufferers the chapter official should give the newspaper men information concerning the work. During the first few hours following a disaster reliable news is scarce, so that *accurate* [their italics] information of this character is welcomed by the newspaper men and will place the Red Cross where it belongs in the first-page news stories throughout the country, that afternoon or next morning.

It is important that the Red Cross disaster official get in touch with the news and motion picture photographers and see that the relief work is reported pictorially as well as in the news.

"Accurate" publicity, however, means publicity which sets the Red Cross off in its favorite light of a pure spirit with a halo around its head. The Red Cross issues no publicity about its activities to maintain the status quo even at the cost of human lives and widespread misery. Let me illustrate:

In 1927, the several hundred thousand white and Negro farm workers who were made homeless by the ravages of the Mississippi flood, depended for their bread upon the mercy of "The Great Mother." The widespread existence of peonage, which the Department of Justice consistently ignores, came to light. Planters refused to let their Negro tenants be moved from the area which the water was fast approaching lest the Negroes escape.

The Army, which has a representative on the Red Cross Central Committee, and "The Great Mother" worked hand in glove in this matter and winked their eyes at the situation as long as they could; but

when the approaching water began to seep under the shacks of the Negro cabins, both the Red Cross and the Army had to do something quickly lest the death toll bring a national outcry. So the Red Cross, which had charge of the relief work, came to an agreement with the planters whereby "The Great Mother" agreed to have the National Guard watch over the Negroes who worked for the planters and to deliver them, whether the Negroes liked it or not, back to the planters when the waters subsided.

The long list of disgraceful activities of this organization run by bankers and the military clique has few pages in its history as shocking as the Mississippi flood handling of presumably free American citizens. The share croppers were watched over by guardsmen, acting upon Red Cross orders. Several Negroes were shot to death while trying to escape. To them the flood had come as a blessing in disguise. It was their one opportunity to escape from the peonage in which they had been all their lives, and the Red Cross coöperated with the landowners to keep them enslaved.

Thousands of these modern Negro slaves were forced to build levees without pay for private employers, they were beaten and lashed when they rebelled, and during this period the Red Cross was receiving contributions from the people of the United States "to aid the sufferers"!

When the raging waters of the river receded, Red Cross officials, "volunteer help" consisting of overseers from the various plantations whose Negroes were being watched by armed National Guardsmen, and the National Guard rounded up the Negroes, drove them onto barges, and delivered them back to their masters.

When, during the height of the flood, news of the thousands upon thousands of homeless Negroes was spread throughout

the country by the Red Cross publicity machine, the Arizona Cotton Growers Association informed the Federal Employment Offices that they could supply work to 4,000 Negroes. Transportation, homes, the certainty of making a living and taking them off the Red Cross list were offered. This was promptly refused, because it was opposed "by the different users of this class of labor throughout the districts affected."

When these American slaves had been returned to their masters by the Red Cross, the post-flood conditions required that the distribution of food supplies be continued for some time. The Red Cross policy of permitting their local chapters to handle relief in their own way "in accordance with the general policies of the national organization" meant that since Negroes could not be given orders on local stores the food supplies had to be stocked in storehouses for distribution. Food supplies were thereupon deposited in the planters' commissaries and the planters were authorized by the Red Cross to distribute them among their tenants.

The planters thereupon either distributed the food, using it as a weapon to force obedience, or charged the share cropper for it on his private books, deducting these charges from the money the Negro cropper was supposed to get at the end of the season. Negroes who had been in debt before found themselves in greater debt after the "aid" given them by the Red Cross.

In 1930 the Mississippi was visited by another "act of God". This time, instead of flooding the lands, there wasn't a drop of rain. Again the Red Cross, with a great fanfare of publicity and a public appeal by the President of the United States for funds to feed the distressed people, rushed to the aid of the stricken. This time the planters protested that the Red Cross was feeding

the Negroes too much ("The Great Mother" was spending an average of three and one-half cents per person per meal), and insisted that the Red Cross stop feeding them so well lest the Negroes be unruly when the drought was over. The Red Cross promptly cut the dole.

The New Orleans Times-Picayune of February 17, 1931, carried this Associated Press dispatch from Yazoo City, Miss.:

In order to keep laborers from deserting farms in Yazoo County, the County Red Cross Chapter has cut down on drought relief and now is administering only to cases of extreme destitution. Planters requested discontinuance of the daily distributions, saying hundreds of laborers were leaving farms.

VIII

The Red Cross Is Inefficient

Except in extreme emergencies the Red Cross will not distribute food to disaster sufferers. It prefers to give them orders on local merchants.

The Red Cross, in an official bulletin issued in January, 1932, explaining why it follows this policy, informed its chapter heads:

If supplies were shipped in from outside the disaster area, this procedure would only antagonize local wholesalers and retailers . . . [and] to purchase supplies outside of the disaster area would endanger local support [to the Red Cross].

Local dealers are best equipped to meet local needs. Except in rare instances they submit reasonable prices. Local buying results in close and friendly relations between the Red Cross and all the people in the disaster area, creating good will toward the organization, which is of permanent advantage, since the organization is dependent upon local support.

These instructions to Red Cross chapters to give the local business man his profits

even in times of distress have repeatedly aroused so much criticism that the Red Cross felt it needed support in its position of refusing to buy relief goods wholesale and consequently cheaply. So it went about making a "thorough survey" as to whether it is best to buy goods wholesale or to issue relief orders on local stores.

This study, marked "confidential," was sent out from the national Red Cross headquarters on November 20, 1931, by deWitt C. Smith, assistant to the national vice chairman and manager, Eastern area, to the managers of the Mid-Western and Pacific areas. An examination of this "confidential" report gives one an idea of the sources to which the Red Cross goes when it wishes to make a point upon which, apparently, it has already decided.

Sixteen different sources were consulted:

9 charity organizations accustomed to case work, most of which know little or nothing about bulk distribution, as several of them informed the Red Cross.

1 foundation, which referred the query to a charity organization.

1 Red Cross official.

3 business organizations which advise on what is for the best interests of the business man.

2 United States government departments, one of which offered to help make the study, and the other which showed why it would be better and cheaper to buy in bulk.

Yet, in summarizing the survey in its "confidential" report, the Red Cross makes this editorial comment:

"Mr. Ethelbert Stewart, Commissioner, Bureau of Labor Statistics, United States Department of Labor, feels that if it is cheaper to buy in bulk we should do so and not support local merchants. He says that by purchasing locally we are supporting local merchants and not receiving the

full benefit of a dollar. (He is the only person interviewed who is not in sympathy with our present methods of disbursing.)”

The survey concludes with instructions to the chapters:

“Bulk purchasing as opposed to the disbursing order method should be discouraged.”

IX

The Red Cross as Strike-Breaker

The Red Cross charter granted it by Congress provided that it “carry on a system of national and international relief in time of peace. . . .”

We have seen that under the control of business, “The Great Mother’s” international humanitarianism in time of peace took the form of supplying military aid to enemies of systems of government American business did not like. Where the system of government was approved but where American capital had little invested, “humanitarianism” took the form of \$1,000 contributions.

Let us now see whether in the United States “The Great Mother”, in its “humanitarian” work, uses the millions given her by the American people for the benefit of business, and whether it functions as a class organization in such matters as strikes, unemployment, and disasters.

The use of food as a weapon to break strikes is as old as the history of strikes. The striker who can eat stands a good chance of winning. In unemployment the struggle for food always has been, is, and will be used by the employing class to reduce wages. And in disasters, the forces which control food can control economic events in the affected area.

The Red Cross, as I have shown, is

controlled by the moneyed interests. Business and Finance never did approve of strikes, so it is to be expected that, though its Congressional charter provided that “The Great Mother” “mitigate suffering”, the Red Cross would not interpret it to mean suffering and starvation resulting from strikes. In its official instructions to members and chapters the Red Cross states:

There are situations, other than natural disasters referred to in the Congressional charter, such as strikes, business depressions, failure of crops and other forms of unemployment and economic maladjustment, which may cause widespread suffering. These situations are not “national calamities” as contemplated by its charter for which responsibility is imposed upon the Red Cross.

It is not the policy of the Red Cross to duplicate the work or to do what falls within the responsibilities of local charitable agencies, and it has adhered to a policy of abstaining from national relief in unemployment distress; but where there is suffering and want from any cause, and the fundamental needs are not being met, chapters may participate in community action in extending relief.

These two paragraphs, reduced to simpler terms, inform Red Cross chapters that they are not to give relief in strikes and unemployment, but in the event the strikers are starving the responsibility is passed to the local chapter, *provided* the local community is willing to help starving strikers and unemployed. Since the responsibility is thus passed to local chapters, let us examine who normally make up a local chapter.

A Red Cross chapter is usually made up of members of the local Chamber of Commerce, business men, wholesalers and retailers, their wives, and a few persons in social service work who depend upon their own income on this same class of people.

The composition of the chapter is one of the chief reasons why the Red Cross pursues a policy of giving local business men profits in a time of disaster lest it lose local support. Chambers of Commerce, bankers and employers do not usually break their necks to aid strikers no matter how great their need. Their interests are not the interests of the strikers, so it is not to be expected that they will exert themselves to give relief in cases of hunger resulting from a strike.

This class controls the distribution of food and thus has an important weapon in its hands. If it can judiciously distribute food to certain elements and withhold food from others it can break a strike. That is what we find happened in many places.

When the Kentucky miners went on strike in May, 1931, they happened to be members of the National Miners Union, affiliated with the Trade Union Unity League. The American Federation of Labor officials do not like the T. U. U. L., so these officials, along with Governor Sampson, held a conference with Red Cross officials and a policy was evolved to give food only to a few of the miners, the "reasonable" ones.

So great was the resulting distress of the striking miners that liberals, touched by their pitiful pleas for bread, sent food to Harlan, Kentucky. Theodore Dreiser, John Dos Passos and other famous American authors went as a committee to study the conditions there. They subsequently protested to Judge Payne "that the Red Cross is aiding and abetting the terror of starvation" among the Harlan miners.

Adelaide Walker, a prominent actress, who was with the Dreiser group, openly charged:

"Starving women and children would go to the Red Cross and be refused relief

because their husbands were on strike. Men applying for relief to the Red Cross were given slips and told to report to various coal operators for work, though these men were miners on strike."

The publicity given these charges made by so many prominent persons resulted in the Red Cross finally giving some food to strikers as well as strike-breakers.

But about this same period Pennsylvania miners, too, were on strike, and starving miners, who, like the Kentucky ones, had year in and year out contributed to the annual Red Cross roll calls from their hard-earned money, appealed for bread, and were refused. So bad was the destitution in Pennsylvania that Governor Gifford Pinchot, one of the original charter members of the Red Cross, personally appealed to Judge Payne to order the Red Cross to feed the hungry.

Mr. Mellon was Secretary of the Treasury at that period. United States Steel, a Morgan-controlled interest, was closely connected with the mines. A successful strike in the mines would be a set-back for the Morgan-Mellon interests' open shop policy. There were no such powerful financial interests represented on the Red Cross in the Kentucky mining area, so the Kentucky miners got a little to eat after considerable publicity; but though the Pennsylvania miners were equally hungry, Judge Payne decided that the Pennsylvania strike was "not an act of God" whereas, apparently, the Kentucky strike was!

Judge Payne wrote to the Governor:

"The coal mining situation, not only in Pennsylvania and Ohio, but in West Virginia, Kentucky and several other States, has been studied by governmental and other groups for years. . . . Large numbers of miners have been unemployed for years, and there is an apparent permanent

surplus. The Red Cross under its charter and traditional policy deals with emergencies and not with economic distress and does not extend national relief in unemployment."

Governor Pinchot then pleaded that if the Red Cross would not feed the starving miners from a humanitarian basis, perhaps it would feed them as "revolution insurance"! The greatest appeal one of the original charter members could make was not the humanity on which the Red Cross had built its reputation and collected its millions from the workers, but for the maintenance of the current economic system!

The Pennsylvania miners were not aided.

Consider the coal strike in West Virginia in 1931. B. A. Scott, vice-president of the West Virginia Miners Union and formerly a member of the International Executive Board of the United Mine Workers of America, walked desperately into the marble headquarters of the Red Cross in Washington and told Vice-Chairman James L. Fieser:

"The working classes in West Virginia do not know what the Red Cross is for. If it has not sufficient funds to feed the starving men, women and children there, then it should not have refused the \$25,000,000 offered by Congress for drought and unemployment relief. If it has funds it seems to us that it is guilty of contributing to murder if it does not spend these funds to prevent starvation."

The Red Cross promised to investigate. A few days later Judge Payne gave a final answer. He said:

"We are not involved, because these conditions have existed for years. Furthermore, we offer seed where miners can find land."

Since most miners live in company-

owned houses and do not have enough land on which to dig themselves a grave, this offer was sheer cynicism. Morgan interests had vast sums of money invested in West Virginia mining properties.

Last year, at the Fentress Coal and Coke Company at Wilder, Tennessee, after a strike of miners had been in progress for half a year, the Red Cross decided to give food only to those who returned to work. It refused to give strikers even government flour. As is usual in these chapters, the local heads of the Red Cross are from the chambers of commerce, etc. At Wilder, Mrs. L. L. Shivers, wife of the superintendent of the struck mines, had charge of distributing the government flour and cloth. To strike-breakers' wives she gave all the cloth and sweaters they needed, but strikers' families were limited to one and one-half yards at a time, even if there were ten in a striker's family. Many strikers, walking about in rags, got no cloth at all. The Labor Research Association has a record of one striker named Sperling who had eight daughters. He was given only an occasional sack of flour and no cloth at all. His daughters went barefoot all winter.

Finally, I quote Robert J. Watt, secretary-treasurer of the Massachusetts Federation of Labor.

"The Red Cross," he charged, "has awarded contracts for knit goods to the Lucky Boy Company of Fall River, Massachusetts, a notorious sweatshop which has violated the State minimum wage law."

X

The Red Cross an Enemy of Children

The widespread suffering caused by the past five years of economic distress finally forced the Red Cross to distribute unem-

ployment relief, especially government-owned flour. Let us see if, in distributing this flour entrusted to it by the government for hungry Americans, the Red Cross still functioned as a class instrument.

The official report for last year states:

The peak of unemployment during the winter of 1932-33 found the Red Cross continuing its policy [!] of active participation of its chapters in unemployment relief activities. Service at the point of the greatest unmet need was based on the letter of September 9, 1931, from the chairman to all chapters restating the policy that "where there is suffering and want from any cause and the fundamental local needs are not being met, chapters may participate in the community plans for meeting the needs."

As a result of low wages, strikes and unemployment, pellagra, caused by lack of proper food, was so widespread as to occasion comments in many newspapers and magazines throughout the country. Two years earlier Grace Abbott, chief of the United States Children's Bureau told the American Red Cross convention that at least 10,000,000 of the 45,000,000 children in the United States are either physically or mentally subnormal and at least 6,000,000 of these are subnormal because of a lack of sufficient food.

The Red Cross charter enjoins upon it to "carry on a system of . . . relief in time of peace and to apply the same in mitigating the sufferings . . . and to carry on measures for preventing the same."

With this injunction in mind the Red Cross started its Nutrition Service after reiterating an announcement made as far back as 1923 that "A conservative estimate, based on physicians' examinations, states that over six million children (one out of every four in the public schools) are suffering from malnutrition in a more or less

acute degree." Simultaneously with this admission Red Cross chapters were explicitly warned that "an outstanding policy of the Nutrition Service is that a Red Cross chapter shall not attempt to develop a nutrition service in a community where the resources of that community are such that the service cannot be carried on permanently."

Since most malnutrition cases exist in areas where children of underpaid workers live, this meant that in the poorer industrial and small farm communities, the plight of the children did not matter. If they are the children of poor workers who will always remain poor, the "outstanding policy" of "The Great Mother" is to let them die of malnutrition!

For the benefit of nice old ladies and gentlemen who might die and leave it fat bequests because of the work the Red Cross was doing in its Nutrition Service, the organization's publicity machine worked overtime telling of the service, but keeping judiciously quiet about what it was really doing to "prevent suffering" among the 6,000,000 undernourished children.

It was not until the rebellious marches of farmers on food stores in the Southwest after the 1930 drought and the 1930-31 strike waves in Kentucky, Tennessee, Ohio, West Virginia and Pennsylvania coal fields, that national attention was centered on the deadly pellagra conditions. The Red Cross had to do something about it, though it had known about these conditions for years. So "The Great Mother" got out a four-page leaflet in June, 1933, entitled "The Control of Pellagra—Suggestions for a Chapter Program."

"Pellagra," read the suggestions, "is associated with faulty dietary habits. The primary cause is a deficiency in the diet of

a food essential, or vitamin, more commonly called Vitamin G. . . . Therefore, the control of pellagra is essentially a question of controlling dietary habits. This can be achieved through education. . . . It is not enough to know that milk, vegetables and other foods will prevent pellagra; something should be done to make these foods actually available to the pellagrans."

This is proper scientific procedure. But "The Great Mother," knowing that pellagra is most widespread in areas where children of poor workers cannot get the proper food, stated:

"In the absence of an adequate diet, powdered yeast is the most potent and most inexpensive remedy known. Provide every pellagra family with powdered yeast and give careful instructions as to its use."

These suggestions were issued *after* the Red Cross had set aside \$4,000,000 the American people had given to it to feed just such sufferers, for a war fund. Perhaps the Congress of the United States can find out why the Red Cross has no money to buy milk and eggs for children suffering from this deadly disease but can take \$4,000,000 given for food and set it aside as a war reserve fund.

But "The Great Mother" did not entirely desert the children suffering from pellagra. In a burst of humanitarian service it suggested to its chapters that the powdered yeast "may be distributed free or at cost."

XI

The Red Cross "Helps" the South

During the recent survey which I made throughout the United States, I gave particular attention to the distribution of relief not only by the Red Cross but by other relief agencies. Everywhere I went I heard complaints of prejudice shown by

Red Cross officials in the distribution of relief. In the South particularly, relief was distributed to whites in preference to Negroes and to those who had the vote in preference to those who were disfranchised because they did not have the dollar or two to pay a poll tax required by their State. This preference for those who had the vote and could thus help build the local political machine was perceptible wherever a State made the payment of a poll tax a prerequisite to voting. The Red Cross and other agencies played politics with the people's hunger.

In the South, the dividing line between the white and the Negro in getting relief was especially sharp. In Birmingham one Negro told me of six colored families who were taken off the Red Cross relief roll because they refused to go to Mississippi to work on white men's plantations. The Red Cross had told the Negroes that they would clear \$500 by the end of the season and painted glowing pictures of the swell life they would lead there. But the Negroes had heard of the peonage on the Mississippi farms ever since the 1927 flood and declined the offer. When they refused, the Red Cross told them that since they would not work when it was offered to them they did not need relief badly enough, and struck their names from the relief rolls.

The food which the Red Cross is supposed to distribute free of charge has repeatedly been used to force recipients to work for private employers. During the 1930 drought United States Senator Burton K. Wheeler publicly charged that the Red Cross was forcing the hungry to work for private employers at fifteen cents an hour instead of giving the food for which the American people had contributed millions of dollars, free.

In Birmingham, an area virtually in the

hands of Morgan-controlled subsidiaries of United States Steel, I heard of Will Morris, a young Negro who died of hunger and exposure in February of last year.

The Red Cross had forced him to work on the roads, under an armed guard, for two days in the rain and cold, in return for a basket of food. The young Negro had protested that he was weakened by long hunger and that he did not think he could stand it. He was nevertheless forced out on the road work at which he died.

In Charlotte, North Carolina, one of the country's textile centers where some Red Cross incorporators have vast sums invested in textile mills, conservative union men in the headquarters of the Central Labor Union, told me that the Red Cross officials were using their control of food to get workers for private employers at wages far below union scales. If a union man refused employment at wage levels below the union scale, Red Cross officials, as well as other charity officials, raised their eyebrows and said, "If you don't want to work, then you don't need relief very badly" and took him off the relief roll.

In Dallas County, Arkansas, colored people, before being given the free government flour, were forced to work a day for the county. Similar reports of forced labor are in the files of the Labor Research Association from numerous towns and cities in Florida, Georgia, Mississippi and Louisiana.

Free flour sent to Palm Beach County, Florida, for distribution was given to Negroes only after they worked for it at the rate of thirty cents a day in the town of Belle Glade and fifty cents a day in South Bay. The bags of flour they were given were plainly marked "Not to be sold."

When Negroes called Judge Payne's attention to these conditions in many States he answered:

"We have had the same complaint in one or two cases as to white people being compelled to work. . . ."

Where the people are very poor there is really very little discrimination between the Negro and the white in being forced to work for the bread they are supposed to get free. As one miner's wife in Callo-way, Kentucky, said:

"The Red Cross forces men to work like convicts for flour put out by the government. If your husband doesn't work on the road, you don't get any flour. The Red Cross in Pineville is run by the American Legion. When you ask for flour they ask, 'Does your husband build the county roads, or sweep the streets of Pineville or clean out the big men's toilets?'"

During the drought relief work in Benton, Arkansas, Labor Research Association records show, the mayor and Red Cross officials evolved a scheme to have the hungry clean out ditches, cut underbrush and clean up a cemetery. They were paid fifteen cents an hour, each man getting three days' work. Even at this they were not paid in cash but given orders on the local merchants in conformity with the Red Cross policy of ensuring profits for local merchants.

John Peel, of Spartanburg, South Carolina, an organizer for the conservative United Textile Workers, affiliated with the American Federation of Labor, charged that the Red Cross was distributing flour in the mill villages of the South in such a manner as to aid employers in their present policy of paying "starvation wages."

"Mill workers who attempt to stand up for their rights are discriminated against in the distribution of flour," he stated in

an open convention. "Everywhere in the mill areas of the South we find local Red Cross chapters deliberately using the fear of hunger to keep cruelly exploited textile slaves submissive as continued wage cuts are inflicted on them."

In Clearwater, Florida, Negroes were so discriminated against in the distribution of Government flour by the Red Cross in 1932 that they organized a Colored Welfare League and reported the discrimination to "The Great Mother." Four days after they made their complaint, on November 4, 1932, to be exact, W. D. Williams and M. Harvey who had headed the delegation to "The Great Mother," were taken out by "unidentified persons" and flogged until they were unconscious.

In Andalusia, Alabama, the Red Cross stopped distributing sacks of flour in 1932. Both Negroes and whites organized to protest and some 500 held a demonstration in front of the Covington County Court-house. The Red Cross promptly discovered hundreds of bags of flour which it had previously said it did not have. Immediately after, the Andalusia City Council passed an ordinance prohibiting the farmers from meeting and demonstrating.

During the 1930-31 drought the Red Cross policy to the farmers was "no loans . . . were authorized for the purchase of livestock, machinery or tools, or for the erection or repair of buildings." Since, to the farmer, his tools, machinery, building and animals are his capital for rehabilitation, when the Red Cross refused loans for these things it deliberately denied him the only aid by which he could get back on his feet. The inevitable effect of this policy was to ruin thousands of small farmers whose land was gobbled up by local banks.

In 1932 the Red Cross was given \$73,-

000,000 worth of cotton and wheat to distribute to the "needy poor." In its activities it reached into all but six of the 3,098 counties in the United States.

The Federal government found itself with vast quantities of wheat and cotton which it had purchased to stabilize prices and used that to pacify the growing bitterness of the people. I shall not add more illustrations of how wheat and clothing were used for the benefit of employers, to break strikes, etc. I shall merely point out that the Red Cross accepted 85,000,000 bushels of wheat to feed the hungry—and there were plenty of hungry in the United States. The Red Cross also had millions of dollars invested and millions of dollars in its chapters' banks. Yet, instead of using these millions given them by the people for just such purposes, to pay the cost of distributing the flour, the Red Cross used up 28,000,000 bushels, or one-third of all the wheat, to pay business houses for milling, transportation and terminal charges. What the people actually got was only two-thirds of the wheat the government gave them. In terms of dollars this meant:

Used to purchase flour and
stock feed \$28,000,000

Used for milling, transportation,
and terminal charges ... 14,000,000

XII

Where the Money Is Invested

The Red Cross at the end of the fiscal year 1933, the latest available, had in round numbers \$32,500,000. This vast fortune is divided as follows:

Cash in banks and securities	\$12,600,000
Red Cross Chapters	8,400,000
Red Cross Endowment and	
Trust Funds	7,400,000
Special War Fund	4,000,000

These millions are exclusive of some \$13,000,000 the Red Cross still had banked of the government's cotton and wheat accounts.

Earlier in this article I presented an analysis of the Central Committee and the Board of Incorporators to show that "The Great Mother" is in the control of a banking and military clique. The Red Cross by-laws provide that the treasurer "shall recommend to the Central Committee the bank or banks for deposit, the rate of interest on bank balances, and propose the investment of the funds of the Red Cross, in such manner as may best serve the corporate interests."

Let us now examine the banks in which the Red Cross deposits its millions. All these banks are very sound; but there are other banks equally sound, so the interesting point that the Congress of the United States might inquire into is why these banks were chosen in preference to others. I was not given a satisfactory answer when I asked for an explanation, as I shall show in my interview with the vice-chairman in charge of finance.

But first to an examination of the financial interests which control banks where the Red Cross deposits its money:

The Bankers Trust Company of New York. This bank was founded by H. P. Davison, a Morgan partner. He organized the War Council for the Red Cross. His son is now a partner of the firm of J. P. Morgan & Company. Thomas Cochran, William Ewing and S. Parker Gilbert, three Morgan partners are on this bank's board of directors. Whenever there is *one* Morgan partner on a bank or business directorship it is generally conceded by Wall Street to be directly Morgan-controlled. In choosing banks to deposit the millions of dollars the people contribute to it as well as the government's cotton

and wheat accounts "for the needy poor" the Red Cross picked this bank. At the close of the fiscal year it had on deposit in this bank \$3,265,000 of the cotton account.

The Central Hanover Bank & Trust Company of New York. This bank is known as an "indirectly controlled" Morgan bank by virtue of having directors on it who are directors of Morgan-controlled interests. These directors and the Morgan-controlled interests are: Hendon Chubb, director of the Prudential Life Insurance Company, and George W. Davison and Cornelius Vanderbilt, directors of the North British & Mercantile Insurance Company. In addition, this bank is the registrar of stocks for the Guaranty Trust Company of New York, whose directors include Thomas W. Lamont and George W. Whitney, Morgan partners. Besides depositing money the people contribute to it in the Central Hanover, the Red Cross also deposited millions of the cotton and wheat accounts in this bank. In addition it picked a "new" bank for the special cotton and wheat account. The "new" one was the Guaranty Trust! At the close of the fiscal year the Red Cross had \$1,750,000 deposited in the Central Hanover and \$1,000,000 in the Guaranty Trust.

The New York Trust Company of New York. Arthur M. Anderson, a Morgan partner, is a director of this bank. It is this bank which buys and sells Red Cross securities under a secret agreement signed in 1922, which the Red Cross refuses to make public. The Red Cross, at the close of the last fiscal year, had \$1,000,000 deposited in this bank.

The Fidelity-Philadelphia Trust Company of Philadelphia. Edward Stotesbury, a Morgan partner, was a director of this bank until a few months ago. Money that the people contribute to the Red Cross is

deposited in this bank. Whether wheat and cotton account millions were deposited here also and withdrawn before the end of the fiscal year, is not shown.

The American Security & Trust Company and the Riggs National Bank, both of Washington, D. C. These two banks are closely allied in interests. The president of the Riggs National Bank, Charles C. Glover, was one of the original self-perpetuating board of incorporators of the Red Cross. His son is today vice-president of the bank. Besides depositing money that the people contribute to it in these banks, the Red Cross at the end of the last fiscal year, had \$1,053,000 of the cotton account in the American Security & Trust Company, and \$1,000,000 in the Riggs National Bank.

The First National Bank of Chicago. This is an indirectly controlled Morgan bank by virtue of having directors on it who are directors of Morgan-controlled interests. These directors and the interests are: Charles K. Foster, director of the American Radiator and Standard Sanitary Corporation; George W. Ranney and John P. Wilson, directors of International Harvester; Silas H. Strawn, president of the United States Chamber of Commerce and former law partner of the head of the Red Cross, Judge John Barton Payne, is chairman of Montgomery Ward; Bernard E. Sunny, head of the Illinois Bell Telephone Company, which is a subsidiary of American Telephone and Telegraph, and also a director of General Electric; and George G. Thorp, president of Illinois Steel Company, a subsidiary of the United States Steel Corporation. Besides depositing money the people contribute to it in this bank, the Red Cross had, at the close of the last fiscal year, \$1,000,000 of the cotton account on deposit.

The First National Bank of San Fran-

cisco. William H. Crocker, one of the original self-perpetuating board of incorporators of the Red Cross, is president of this bank where the Red Cross deposits money collected from the people.

Perhaps the Congress of the United States will be interested in probing deeper into these Morgan-controlled and Red Cross incorporator-controlled banks where the people's millions and its own millions are deposited, and in finding out why these banks were chosen in preference to others.

Before we give the official Red Cross explanation by James K. McClintock, vice-chairman in charge of finance, let us examine where the Red Cross invests its millions:

William H. Crocker of San Francisco, one of the self-perpetuating board of incorporators of the Red Cross, besides being president of the bank, the First National Bank of San Francisco, where the Red Cross deposits its money on the West Coast, is a director of the Pacific Gas & Electric Company. The Red Cross has \$625,000 invested in Pacific Gas & Electric.

Harvey D. Gibson of New York, one of the self-perpetuating board of incorporators of the Red Cross, is a trustee of the New York Trust Company which has the secret agreement with that organization to buy and sell Red Cross securities, besides being the bank where the Red Cross deposits its and the government's millions.

James G. Harbord of New York, one of the self-perpetuating board of incorporators of the Red Cross, is a director of the Bankers Trust Company, where the Red Cross deposits its and the government's money. Harbord is also a director and member of the executive committee of the Atchison, Topeka & Santa Fé, in which the Red Cross has funds invested.

Edward S. Harkness of New York, one

of the self-perpetuating board of incorporators of the Red Cross, is a director of the Southern Pacific, New York Central, Michigan Central, Cleveland, Cincinnati, and Chicago & St. Louis. The Red Cross has over \$2,000,000 invested in these railroads which are Morgan-controlled.

John L. Merrill of New York, one of the self-perpetuating board of incorporators of the Red Cross, is vice-president, director and on the executive committee of the Morgan-controlled International Telegraph & Telephone. The Red Cross now has 41,494 shares of this company's stock which it lists as valued at \$1,548,000. The stock market says it is worth only about \$300,000.

Silas H. Strawn of Chicago, president of the United States Chamber of Commerce and former law partner of Judge John Barton Payne, head of the Red Cross, is a director of the First National Bank of Chicago where the Red Cross banks its money. His firm acts as solicitor for the Michigan Central Railroad, a Morgan-controlled interest. The Red Cross has \$450,000 invested in this road.

I think these are sufficient to illustrate where the Red Cross invests the millions of dollars the people contribute to it.

The Red Cross insists that under its regulations the general funds are kept by one body and the Endowment Funds by another. The regulations provide:

"All funds constituting a part of the Endowment Fund shall be invested in such property as shall from time to time be directed by a vote of, or approved in writing by, at least a majority of the Board of Trustees."

These Endowment Fund trustees are chosen by the self-perpetuating board of incorporators with the exception of three Federal officers: the Secretary of the Treasury, the treasurer of the United

States, and the officer of the United States treasury who is appointed by the President of the United States as a member of the Red Cross Central Committee.

Excluding the three Federal officers who are *ex-officio* members, we find the following five men on the Endowment Fund, who decide or have decided, where to invest the more than \$11,000,000 in their care:

H. P. Davison of J. P. Morgan & Company;

William D. Hoover of Washington, D. C., whom I was unable to identify;

Howard W. Fenton of Chicago, of the Harris Trust & Savings Bank;

Harry G. Meem of Washington, D. C., and the Washington Loan & Trust Company, in which the Red Cross deposits funds; and

Corcoran Thom, of Washington, D. C., and the American Security & Trust Company, the bank which has close alliance with the Riggs National Bank.

Before we step into the office of the Red Cross vice-chairman in charge of finance let me give a summary of the investments the Red Cross makes with the people's money:

Out of the total investments of over \$22,000,000 more than \$9,000,000, or almost half, have been placed in Morgan direct or indirect controlled interests.

The answer to all this is that these are sound securities and bonds and they just happen to be Morgan-controlled, because the House of Morgan has such wide and varied interests. This answer would be worth considering were it not that the United States of America is perhaps almost as sound an institution as J. P. Morgan & Company. Yet the Red Cross invested over \$9,000,000 in Morgan controlled interests and only \$50,000 in United States Liberty bonds. This is the only investment

out of \$22,000,000 which the Red Cross has made in a United States government guaranteed security. The interest which the government pays on some of its bonds is as high and in some cases higher than the interest paid by some of the Morgan-controlled businesses in which the Red Cross invests the people's money.

XIII

The Red Cross "Explains" Its Finances

James K. McClintock, the vice-chairman in charge of finance, is a rubicund, cheerful soul. It was not until I began to ask questions as to who suggested purchasing certain securities that Mr. McClintock became a little flustered.

"Who, for instance, suggested buying West Shore Railroad Company?" I asked.

Mr. McClintock looked blank for a moment and shrugged his shoulders.

"I don't know. Why?"

"I was just wondering. The bonds you have in this road are due in the year of our Lord 2361."

Mr. McClintock looked startled.

"That can't be," he said. "It must be a typographical error."

"That's what your official report says. It's one of the Morgan-controlled roads."

"It just can't be," said the vice-chairman in charge of finance.

"Why not look it up in Standard Statistics?" I suggested.

He did. There it was: due 327 years from now.

"Looks like it is due 327 years from today," said Mr. McClintock.

"Looks like posterity is well taken care of," I said helpfully.

"Yeah," said Mr. McClintock sadly. "Funny, isn't it?"

"One of the things that puzzle me," I said, "is why so many of your self-per-

petuating board of incorporators are bankers or have important banking connections."

"Is that so?" said Mr. McClintock. "I never thought about that."

"And some of the heaviest security investments are in firms of which some of your incorporators are directors."

"Really?" asked Mr. McClintock with an air of surprise.

"And some of your banks where the Red Cross deposits its money have as directors some of the incorporators of the Red Cross."

Mr. McClintock studied a list of their banks with a furrowed brow.

"And millions of dollars of the wheat and cotton accounts were deposited in banks some of the directors of which are incorporators of the Red Cross."

Mr. McClintock lit a cigarette.

"You know," he said, leaning towards me confidentially, "I don't believe one of our board of incorporators knows the banks we keep our money in. They meet only once a year, you know—and then the meeting doesn't last fifteen minutes."

"But why so many bankers or people connected with banks?"

"Well, you know we've got to have them available to attend meetings."

"That's a good reason," I murmured.

"And we've got to divide it up geographically, too. You can't expect too many of them to come from San Francisco, for instance, to attend a fifteen-minute meeting."

I saw immediately that that explained why so many were bankers or had banking connections, and I continued:

"If they meet for only such a brief period, how do they pick their successors? Who suggests them?"

"Well, I suppose Miss Boardman has something to do with that. I suppose she

suggests someone and he or she is elected. But the board of incorporators hasn't any power anyway," he concluded, dismissing the subject.

"Who gave Congress the list of original incorporators when Congress chartered the Red Cross?"

"I don't know who named the original list but it was included in the 1905 charter and since then they have been electing their own successors when one of them dies or resigns."

"Why, in picking the banks to deposit your money, is one bank picked in preference to another? Why do you deposit the money in the banks you use now?"

"I don't know. The list as it stands now is pretty historic. During the war we had many more banks because of the huge funds. After the war the banks squeezed down from the long list and—well, it's just a situation any institution would face. You see, by custom that's never been broken, the representative of the Treasury Department is on the Central Committee. The procedure would be to ask the Treasurer of the United States and the Red Cross what bank to pick. The banks used to keep funds in today were chosen by the Central Committee upon recommendation of the Treasurer of the Red Cross. These banks which we now use are okay with Morgenthau."

"They're okay with me, too," I assured him. "But I still don't know why they were chosen in preference to other banks."

Mr. McClintock shrugged his shoulders.

"Why were the wheat and cotton account millions placed in these particular banks?"

"Well, in the first place, there was more money than he—Ballantine was Treasurer then—wanted to put in the regular approved depositories. The choice was approved by the Central Committee."

"But with the exception of a couple of new depositories you did place the funds in your regular depositories."

"We had some new banks."

"How long have you dealt with these regular depositories of Red Cross money?"

"To the best of my knowledge since the War, when the Red Cross was run by the War Council."

"Let's see," I murmured, "most of these banks are directly or indirectly controlled by J. P. Morgan & Company. H. P. Davison, a partner of J. P. Morgan & Company, was virtual dictator during the War Council. Then a J. P. Morgan & Company partner picked J. P. Morgan & Company-controlled banks to deposit the millions of dollars the people contribute annually to the Red Cross?"

"I'm sure I don't know," said Mr. McClintock unhappily. "I said to the best of my knowledge."

"Who decides in what securities to invest Red Cross money?"

"They are recommended by the Treasurer of the Red Cross and approved by the chairman, Judge Payne. That's the technical set-up."

"How are they bought? Through what brokers?"

"The New York Trust Company is an assistant treasurer of the Red Cross and it executes sales and purchases of securities as ordered and directed by this committee. The New York Trust handles all purchases and sales. It has nothing to do with the Endowment Fund which has a separate board."

"Who picked this bank to act as assistant treasurer?"

"The Central Committee."

"When was the agreement with the New York Trust made for it to handle Red Cross securities?"

Mr. McClintock asked his secretary to

get a copy of the agreement. He studied it carefully. "In 1922," he said.

"May I see it?"

"I can't show it to you. It's just the agreement of one bank as assistant treasurer of the Red Cross."

"Aren't Red Cross financial activities, especially since it's handling millions of the people's money, public?"

Mr. McClintock folded the agreement and returned it to his secretary.

"It's merely an agreement authorizing them to act as assistant treasurer, to buy and sell securities and act as custodian of securities, to keep them there, collect interest, etc."

"Then why may I not see it?"

"Well, it's the language. You see, it was drawn in 1922 and the language should really be redrafted in accordance with new banking laws."

"You mean that for years you have been operating in violation of certain banking laws?"

Mr. McClintock did not answer.

"What commission do you pay the New York Trust Company for buying and selling Red Cross securities?"

"Only out-of-pocket expenses. The agreement calls for reimbursement of only cash expenditures involved in the purchase and sales."

"How much were these out-of-pocket expenditures in the past twelve years?"

Mr. McClintock shook his head.

"I really would have to get permission from the New York Trust before I could give these figures to you."

"Do you buy or sell securities through any other brokers or banks?"

"No," he said shortly.

"Isn't H. P. Davison, a J. P. Morgan & Company partner, a director of this bank?"

"I suppose he is," said Mr. McClintock.

XIV

Congress Should Probe the Red Cross

When an organization, operating under a grant from Congress and with such high officials on its roll as the President of the United States, places millions of dollars collected from working men and women and school children in the hands of a clique of bankers most prominent of whom is J. P. Morgan & Company, it is time that the American people who contribute these millions learn precisely how they are used.

The halo the Red Cross built around itself for disaster relief actually turns out to be salary-relief for thousands of its employes, whose chief function is to maintain the status quo even at the expense of human lives.

The money that the American people give it seems to be used for banker-relief, with the bankers not caring enough about the United States even to invest any considerable portion of these millions in government securities.

It looks very much like the Red Cross, the saintly "Great Mother", is a racket for Big Business. And it looks, all in all, that the millions of workers who contribute these millions of dollars under the impression that they are helping relieve the hunger of fellow countrymen, are being kidded.

Certainly the Congress of the United States should get to the root of the Red Cross financial dealings and its methods of distributing relief. With millions of our people starving it is time "The Great Mother's" skirts were cleared. The Congress of the United States is responsible for this organization, and the Congress should find out what the bankers are doing with its and the people's money.

DOUBTS ABOUT LIBERAL COLLEGES

BY HARRY WOODBURN CHASE

SCATTERED throughout these United States there are something over five hundred colleges of liberal arts. Together they enroll perhaps half a million students, men and women, most of them between the ages of seventeen and twenty-two. They are of all sorts, these colleges. Some of them are undergraduate divisions of universities; many of them exist as independent units. They vary in size from those of a hundred or two hundred students to those which count their members by the thousand. Some are supported from public funds, some are heavily endowed, others rely chiefly on student fees, others on church support—and still others have no means of support which are visible to the naked eye. Some are highly selective in their entrance requirements, and their waiting lists are long. Others resort to all known tricks of publicity and exhortation to maintain themselves as going concerns. As educational institutions a few are distinguished, the majority are worth while, and some are educational frauds. Their faculties differ enormously in ability and training, and their student bodies in background, distribution, and intelligence.

On paper, the requirements for entrance and for graduation of most of these institutions look pretty much alike, as though all these colleges had been cut by the same pattern. As a matter of fact, they have been. They are far more orthodox than most churches. This is not accidental. They are drawn into conformity by a series of in-

fluences which operate on them all, and mold most of them all too easily into the traditional pattern of academic respectability.

There are, first of all, the various standardizing agencies. These wield enormous power, especially over the weaker institutions. Take, for example, the regional associations. These originated as groups of the stronger and more representative colleges and preparatory schools which banded together in the various sections for the upholding of good educational standards; for example, the North Central Association, the Southern Association of Colleges and Preparatory Schools, and various others. Now, naturally enough, admission to these associations has been denied to educational institutions which did not meet what the member institutions considered reasonable criteria. As these associations have become large and powerful, membership in them has become essential to a college which desires to be respectable. Lack of such membership is a serious matter. It means difficulty in the admission of students to graduate and professional schools. It means lessened local confidence and pride, and so losses in the drawing power for students, and curtailed opportunities for raising money. In short, it is a serious blot, and one to be removed at all costs.

Thus these agencies have almost the power to kill or to make alive. Their standards must be met. Now these standards

have to do with the amount of endowment, the number of volumes in the library, degrees owned by members of the faculty, requirements for admission, for graduation, and so on. These are reasonable things to specify, though the conformity of colleges to them is sometimes purely formal. Once in the South, a woman came into my office and announced that her college was up for admission to the Southern Association, and that, as it was short of the necessary number of volumes for its library, she was soliciting contributions.

"What sort of books do you need?" I asked.

"Oh, any sort," she said. "Just books. We need five hundred more volumes, and I thought your library might have some discarded things we could use to fill our shelves."

But, for the most part, colleges take the standards seriously enough. The main difficulty with them has been that they have choked experimentation. A college which desired, for example, to try the experiment of admitting, and watching, a group of students that did not fulfill the formal requirements for graduation from high-school, or to try out a quite new curriculum for graduation, would hesitate to do so, unless it were in a position strong enough to go its own way regardless of the associations. For the smaller institutions, a conformity to the letter of the law has been the only safety. In the make-up of their faculties, for example, Ph.D.'s have had to be considered before personalities, until the wholesale production of Doctors of Philosophy has become one of our great national industries.

Then there are the State Departments of Education, some of great power, as in New York, where the assent of the Regents must be obtained by any college, private or public, to any question involv-

ing requirements for degrees. There are also, and importantly, the various professional associations, which have specified, sometimes in great detail, requirements for admission to the professional schools. Medicine, for example, has not been content to require the completion of a certain number of years of liberal education. It has specified the exact subjects to be taken during the college years, and specified them in terms of theories of education which are now outworn. To the requirements of these associations, as to those of the standardizing agencies, college authorities must be constantly on the alert, under penalties of lack of recognition. Truly the path of the college that would wander from the highways of educational orthodoxy is a steep and rocky one! The colleges, of necessity, take their educational theology as seriously as the churches once regarded theirs.

Such formal influences as these are by no means the only pressures toward conformity in our colleges. Very important is the quiet and unconscious influence exerted by the fact that, increasingly, college faculties are the product of a comparatively few large graduate schools. From these schools—Columbia, Harvard, Yale, Chicago, and the others—they bring a set of common attitudes and outlooks that are as standardized as is the academic costume they wear on formal occasions. President Lowell once remarked that President Gilman of Johns Hopkins made only one mistake, but that a serious one—he invented the American Ph.D. Nothing in the academic world is taken quite so seriously as this particular alphabetical combination. But of that, more later. The main immediate fact is that the run-of-the-mine product of the large graduate schools is as standardized and as interchangeable, part for part, as any other result of mass production.

So it is that faculty meetings in Kansas are replicas of those in South Carolina, so it is that orthodox attitudes toward curricula and toward student life stamp themselves even on colleges small and remote from centers of intellectual life. The hold on the imaginations of faculty members gained by the educational practices of the institutions in which they have done advanced study is often amazing. Especially, if they happen to be teaching on the faculties of small and weak institutions, does the university of their graduate experience tend to become a paragon of all virtue, to be imitated to the best of its ability by old Siwash. I have known members of college faculties now nearing the retiring age whose imaginations had been so caught by the original Johns Hopkins of the eighties and nineties that their only test of the educational policies of their institutions was whether they squared with those of the first American university a generation ago—but it is only fair to add that the Johns Hopkins of yesterday stamped its men more strongly than any American university of today.

II

Now not only does the ambitious young man come to Siwash cut to a prevalent pattern, but he very likely comes with the idea that his future does not lie at Siwash, but at some great university at which he will teach graduate students, and them only. If this is to be the case, he must keep open the avenues of connection with his craft. This means that he must publish and that he must attend annual professional meetings, at which, if possible, he must read a paper, or at least participate in the discussions. Those things are not difficult; at least they have not been until the last few years, when administrative

offices are slower about helping with travelling expenses, and learned journals are cutting down their pages. Given industry and persuasiveness, it is easy enough to carry on to a certain point. And that is important, for contacts are as essential for the ambitious college teacher as for the bond salesman. When jobs in larger institutions fall vacant, it is no disadvantage to have published, and to have talked with older men at meetings. Not at all.

But this involves a shifting of the center of gravity of the interests of such faculty members. Their audience is no longer that of their immediate classroom. It is rather that of their own craft, scattered throughout the educational world. It is by impressions made on these fellow-specialists that the future is more to be determined than by the quality of teaching that goes on in their present jobs. Such men are an improvement on college faculties of a generation or two ago in their knowledge. But the type of man who identified himself throughout a long career with "his" college; whose boys were on his heart; who built himself into his community and the history of his institution—that type becomes unfortunately more rare. To be known as deeply interested in student affairs may even cast doubt on the scholarly sincerity of our ambitious young careerist. And, as more and more of our smaller colleges have become stepping-stones for the careers of young men in a keenly competitive profession, respect for their traditions, for their individuality, for the things that made them different, has inevitably lessened.

I do not mean to minimize the devotion and unselfishness of large groups of men and women on college faculties. But it remains true that there has been a change in the typical satisfactions of the academic life. They have come to center more about

professional recognition, with a consequent tendency toward lessened interest in the immediate problems of good teaching and the individual needs of students.

Again, from the student point of view, college campuses tend to become more and more alike. Intercollegiate competition in sports, the growth of fraternities and sororities of national scope, stamping common attitudes on large groups of men and women to a degree sometimes highly ridiculous, the growth of a literature devoted to "college life," are factors which tend to make the student viewpoint throughout the country as uniform and orthodox as is that of college faculties. Student attitudes, I suspect, are the more variable. There is probably a greater difference between student life in the Middle West and the South, for example, than between faculty outlooks. But college students are, on the whole, a conservative and conventional lot. Departures from the prevailing *mores* are harshly dealt with. Over large areas of the country fraternities, where they are taken most seriously, wage successful war against individuality. Administrative officers in charge of student affairs are not always of a different mind. "The way to succeed here," was a well-known dean of men's advice to a new student, "is to get into the rut and let yourself be carried along!"

Such are some of the forces that have brought to bear on our American colleges tremendous pressures, official and unofficial, conscious and unconscious, in favor of uniformity, of conformity and orthodoxy. The result has been inevitable. Only a handful of colleges have been strongly enough placed to go their own ways without fear of losing their reputations. Only a few have been independent enough not to care. The really significant experimentation that, in these days of concern about

what liberal education means and should mean, is going on in our colleges includes so few institutions that, almost literally, they can be counted on the fingers of both hands. At a moment when the supreme task of liberal education is clearly to give students some idea of the complex and unsettled world they must live in, most college curricula vary only in detail from those in vogue before the World War. It is still the first impulse of a faculty, confronted by a proposed change in curriculum, to consider four arguments. First, what will the standardizing agencies and the stronger institutions think of it; second, what is the existing practice as revealed in the catalogues of other colleges; third, why should we depart from the true and tried ways that made us what we are; fourth (and most realistically), what will be the effect on the vested interests of department A and on the ambitions of department B? The net result, more often than not, is maintenance of the *status quo*.

III

Now this system of liberal arts colleges is quite a new thing in educational experience. In the first place, no country has ever before seen the spectacle of a half million or so adolescents enrolled in cultural institutions. I am not including those in the professional and technical schools of various sorts, the inclusion of which would almost double the number. I am speaking merely of those who are taking courses leading to the bachelor's degree. Americans, as a people, are going to college.

The reasons why they go are many and varied. Some, of course, because their families don't know what else to do with them; some to make social contacts; some to play football; and many, very many, because the better professional schools in such

branches as law and medicine require a certain amount of liberal training. Many of them are very vague as to their future careers, but there is among the group as a whole a surprising amount of ambition and hard work.

For one thing, these students no longer come predominantly from homes that possess the sort of environment in which they wish to spend their lives. They, and their parents, are interested in the making of careers, in social and economic advancement for these young people. In fact, since the closing of our last frontiers, the college has come to stand in the American mind as the great highway to opportunity; it has become the chief instrument of our democracy for the maintenance of that upward drive which has always distinguished our history.

It is clear enough that this system of colleges occupies a position of enormous importance. With its vast enrollment, the deeply rooted faith in the public mind in its significance, and its student body which is nothing short of a cross-section of American life, its potential power for cultural development is amazing.

This fact is a favorite theme for speeches by those connected with the system. It must be confessed, however, that attempts to apply it in practice have resulted in a certain bewilderment. Ideas as to what a liberal education should consist of are as a rule not very clear. There are, indeed, honorable exceptions. The University of Chicago and the University of Minnesota, for example, are attempting experiments that rest on definite ideas about its content.

But, for the most part, there is no agreement, no coherence, no unified opinion as to what ought to be done with these important years. I recall the discouraged comment of one dean: "In our college the

only things we dignify as the essentials of a liberal education by requiring them of everybody, are physical education, military science and tactics, and English composition." Here is, indeed, a new conception of culture, defined, one might almost think, in terms of a Fascist nationalism! It is possible, in most colleges, for a student to graduate knowing nothing of biology, of economics, or of recent world history. The general philosophy of the situation seems to be that, for the purposes of a liberal education, every subject offered in the catalogue is the equivalent of every other.

Nor is this the only difficulty. A still more fundamental confusion grows out of the fact that, for the past half-century, the tradition in college faculties has been one of interest in scholarship, rather than in education. The reason is not far to seek. The development of specialized scholarship in the German universities and in the first American graduate schools exercised an immense influence on the imagination of American graduate students. They came into our faculties rather dazzled with its significant achievements. And their students, in turn, have followed in their train. The results have been both good and bad. Research and publication have been enormously stimulated. But attitudes and points of view suitable for mature students have been applied to the immature undergraduate as well. Liberal arts colleges have been organized from above downward. The usual elementary courses, for example, in chemistry or biology are taught as though each beginner were taking his first feeble steps toward the Ph.D. They stress laboratory manipulation and technical detail, rather than the broad underlying principles of the science as a part of the equipment of the cultured layman. The historian delights in courses in the development of constitutional government in Bulgaria, or

in the history of Northern Africa from 850 to 1000 A.D. Courses in English literature must be scholarly, even though they kill the appreciation of good literature. The standard approach to economics is highly theoretical and technical, and the teaching of foreign languages in our colleges, with all its passion for grammar and phonetics, notoriously fails to give students in general either conversational ability, a taste for literature, or an appreciation of other civilizations.

In other words, the point of view of specialized scholarship has not proven satisfactory for the organization of liberal education for undergraduates. It has conceived of education as a series of watertight compartments. In each of these it has developed standard materials, for the most part well put together and easily testable. Proficiency in one such set of materials has been added on the registrar's books to proficiency in another, and an excess of plus signs in the result has been held to produce a liberal education.

It is encouraging that, during the last few years, signs of dissatisfaction with such a state of affairs have multiplied apace. There is within the colleges themselves a good deal of ferment, much of it still under the surface. But most of the real work still lies ahead. For it involves nothing less than a radical shift in viewpoint, and that, in any sort of established institution, is no easy task. What seems clear enough is that, in a world as confused and perplexed as our own, the major service that liberal education can render to these half million adolescents is to attempt to give them some understanding, some fundamental attitudes and values which will reflect themselves in their adaptation to the civilization they must live in, in terms of increased knowledge of what it is about, and better adjustment to it.

IV

During the past twenty years the nation has had, at critical times, two significant experiences with college trained men. The first of these was in the World War. Their record was, in this case, eminently satisfactory. They showed qualities of leadership, of courage and of adaptation that were strongly marked. The second has been in the years since 1929. It may well be questioned whether, in these latter years, their understanding or their general attitudes have differed very much from those of the general population. The first of these records is a tribute not so much to college class-rooms as to college life, which no one who knows it doubts to be highly and efficiently organized for its purposes. Its efficiency in meeting a physical crisis was summed up long ago in Wellington's statement that Waterloo was won on the playing fields of Eton.

But the sort of training that is of value in these years must smack less of the campus and more of the class-room. It requires, among other things, knowledge and understanding. It has to do with ideas. And those are not chiefly gained on the football field or in promoting fraternity interests.

Furthermore, it requires not merely specialized knowledge, but something like a coherent philosophy of life; a philosophy which involves a definite attempt to unify knowledge and organize its presentations in ways that will make of the educational experience less a series of unrelated facts. This in turn involves a definite attempt to set values on the subjects of instruction.

This is not the place for a technical discussion of the making of a curriculum; it is sufficient to point out that economics, modern history, sociology, philosophy, basic ideas about the natural sciences, some

knowledge of the fine arts, are today a far more necessary part of the equipment of the cultured layman than is the merely formal study of languages and mathematics. More and more, I believe, must our liberal arts curricula center about the question of man's adjustment to nature and to his fellows—especially about those things that have to do with the latter of these fields, so desperate is our need for understanding, as a basis for intelligent action.

And, it must be added, this is far from the end of the matter. The substitution of emphasis on one subject for emphasis on another is no panacea. There must come, both in the natural and the social sciences, a more integrated and less specialized approach. In the ideal liberal arts college there would be no departments, in the sense of pigeon-holes of knowledge. There would be men and women at work in the attempt to bring to bear their own knowledge on the general problem of liberal education, making their own contribution to the task of adjusting youth to the life it must lead.

Something like this is going on here and there. It will not do to become too impatient about it. Trends toward heaping up knowledge have been so marked for

a generation that the idea that liberal education should be a unity, based on some coherent philosophy of life, has become obscured. Once it was a unity, centered about the classics. It gave to a few a type of culture that marked them off as a clan apart. Now it must unify itself again, not about the classical cultures, but about the problems of contemporary life. And it must do this, not in the spirit of exclusiveness, but with the definite attempt to penetrate as far as possible the popular consciousness through the half million students of each college generation.

Four years devoted to really learning something about the world, on the part of this enormous group of adolescents, can be made an investment of the greatest value in the future of America. Realizing, as one must, the values of the concentration of our best educational efforts on those of greatest capacity, it is still impossible to avoid the challenge to the imagination which comes from the thought of what may be accomplished for society as a whole if only our liberal arts colleges can gain self-confidence in the values of liberal as opposed to special education, and set themselves definitely to rethink their function in terms of their new task.

THE RACKET OF STOLEN LOVE

BY ANTHONY M. TURANO

Thou shalt not covet thy neighbour's house, thou shalt not covet thy neighbour's wife, nor his manservant, nor his maidservant, nor his ox, nor his ass, nor any thing that *is* thy neighbour's.

THE last clause of the Tenth Commandment has often been the subject of gentle spoofing by infidels and devout alike. It is the prevailing lay opinion that the classification of wives among the asses, oxen, and other dumb possessions in a man's corral, is an amusing archaic error that finds no acceptance among modern jurists and lawgivers. But according to the Common Law, as it is still in force in every American State except one, the right of property of one spouse in the other is being constantly reiterated by the courts. It is, in fact, the basis of every suit for alienation of affections. A wife is still considered a piece of movable goods, and the person who entices her away from the garden patch is answerable to the husband in money. One of the latest re-statements of the doctrine is contained in the case of *Maggay vs. Nikitko*, decided in 1933 by the Supreme Court of Connecticut:

The gist of the action for alienation of affections is the loss of consortium. This is a property right growing out of the marriage relation, and includes the exclusive right to the services of the spouse, . . . and the exclusive right to the society, companionship and conjugal affections.

The manner in which this property right is being judicially enforced will appear

from a few recent cases chosen at random. According to the Nebraska legal reports for the year 1931, William and Artie Sonneman had been married fifteen years, when the wife decided to leave her husband and marry Buford Atkinson, a friend of the family. The husband did not object to the divorce, but brought suit against Atkinson, for alienation of affections. The court did not trouble to reprimand Artie for being susceptible to Atkinson's allurements; nor was it suggested that she pay her husband any money for taking herself away. Alienation is a moralistic lawsuit in which the court punishes only one of the two equally guilty evil doers. Since the interloping Atkinson had been caught in legal possession of a wife once owned by Sonneman, he was ordered to pay the former proprietor \$15,000.

Of course, there is a legal difference between the alienation of a wife and a simple case of cattle-rustling. An ordinary horse thief may plead that the mare strayed away of her own volition, in search of the greener pastures of the covetous neighbor. But no such defence can be urged by the man who appropriates a chattel from the kitchen. It is judicially assumed, under this musty theory of marriage as property, that all wedded women are, *ipso facto*, imbeciles whose wills are immediately paralyzed by the first Romeo who strums a guitar under the family balcony. In *Murrell vs. Culver* (Maryland, 1922), there was evidence that the wife had willingly com-

mitted adultery; but the learned appellate judges did not hesitate to conclude that her paramour was "the most guilty party of the two."

The right of divorce is recognized in forty-seven States of the Union; and it may be legally argued that the law contemplates probable successors in the affections of the released spouses. A harmonious second marriage is socially more desirable than a discordant first. It is also an obvious fact in human behavior that while some leap before looking, others can jump more securely after casting a few glances toward a possible destination. But it must be remembered that the dogma of alienation belongs to a social epoch when connubial bonds were dissoluble only by death; and if a potential second husband is seen loitering about the homestead, he must make financial amends to the first lord and master. A decision in point was handed down by the Ohio Court of Appeals in 1932. Mrs. Slee obtained a divorce from her husband, George, for his "extreme cruelty and gross neglect of duty." Some time later, George took legal action against William Heitman, alleging that he was responsible for the loss, and demanding its monetary equivalent. There was no proof of misbehavior beyond the fact that Mrs. Slee voluntarily went out with Heitman on automobile trips, and that sometimes she stayed out with him until two or three o'clock in the morning. The relative ardor of the wife and her friend is not shown, but it appears that Mrs. Slee was forty-two years of age and that her *amorous* was nine years her junior. Yet the court was not convinced that the sober decision of Mrs. Slee had much to do with her estrangement:

The evidence leaves no room for doubt that this home was broken up and disrupted by the unlawful attentions bestowed by Heitman on Mrs. Slee.

In sustaining the \$5,000 judgment of the lower court against Heitman, the appellate judges added scriptural wisdom to Blackstonian logic:

It is contended that the damages are excessive, but Mrs. Slee, before the unlawful conduct of Heitman, was a good and loyal wife. The amount of the verdict represents an attempt to assess the value of such a wife, and who can say that the assessment is too high? We have the authority of the Scriptures that a worthy woman is the crown of her husband, and her price is far above rubies.

The court here does not bother about the vague legal quibble of "consortium," but virtually consents to the judicial sale of a misappropriated diadem for what it evidently considers a mess of pottage.

II

It has been often remarked that husbands are not specifically included in the Mosaic catalogue of things covetable. Likewise under the Common Law, a wife could never recover money for the loss of her mate's society, support or affections. The explanation for this discrimination between the sexes is clearly given by Blackstone (Vol. 3, page 143):

The inferior hath no kind of property in the company, care or assistance of the superior, as the superior is held to have in those of the inferior; therefore, the inferior can suffer no loss or injury.

The same patriarchal theory once prevailed in most American States. As recently as 1923, in *Oppenheim vs. Kridel*, a New York court set aside a verdict for \$20,738 on the ground that a wife had no right to sue a woman who had misbehaved with her superior half. The appellate judges, however, reversed the decision and authorized her to proceed with collection,

because the Common Law rule was no longer in force. It is now agreed, in most jurisdictions, that a devoted husband may be, no less than his mate, "enticed, seduced, tempted, lured, incited, persuaded," and turned into so much malleable putty in the hands of a scheming Delilah.

A recent illustration of the new legal equality of the sexes is the case of *Anna Marckwardt vs. Ida Hayworth*, decided by a California district court of appeal in 1932. Anna testified that she had enjoyed nineteen years of domestic bliss, when Ida made a few passes and demolished her home.

Her story was contradicted by Henry, her wayward husband, who insisted that his bungalow had already become exceedingly wobbly through the conduct of his wife, who was:

A woman of ungovernable temper, extremely jealous of her husband, given to the use of vulgar and profane language, addicted to the excessive use of intoxicating liquor, unwilling to bear children, and a nagging and querulous person.

It was also definitely shown that the intruding Ida was guilty of nothing more wicked than permitting Henry to call at her apartment, without actually soliciting his visits. The record shows, however, that Anna served notice on her rival, informing her that Henry was married, and demanding that she cease entertaining him. The siren promised to lock her doors, but failed to keep her word. Meanwhile, Henry brought suit for divorce, and his wife let the decree go through without opposition. So far, it appears that Henry was the most enterprising of the three performers. But the case began to look suspicious for Ida, when it was proved that she had accompanied Henry to the altar the very next day after his divorce. The decision of the State Supreme Court says:

It is a circumstance that has the ring of enthusiastic coöperation rather than the more modest sound of passive acquiescence.

It was evident, therefore, that Henry had been acting under Ida's bewitchment all the time without knowing it. Accordingly, the covetous Ida was ordered to reimburse the injured Anna in the sum of \$15,000, although a subsequent reappraisal of the missing property brought the penalty down to \$7,500.

That a woman may legally transform a matrimonial fiasco into a cornucopia of abundance appears from the case of *Kathryn Scharwath vs. Katherine Brooks* (New Jersey, 1929). As soon as Kathryn discovered that her home had been wrecked beyond repair, she sued for a divorce, and obtained real estate worth \$35,000, with an additional cash settlement of \$20,000 and a further allowance of \$4,000 a year. Having finished litigating with her husband, she turned her legal cannons against his enchantress, Katherine Brooks, and was promptly given another judgment for \$90,000. The Supreme Court of the State had no doubts about the wife's right to collect in both proceedings, since the sums recovered in the divorce action were "items not legally applicable in a suit for damages against a female enticer." But the judges were convinced that she had carried her legal privileges a little too far. So they ordered a reduction of damages in the alienation case.

III

Upon the same assumption that wedded persons have no control of their own minds or feelings, it follows that happy homes may be broken by parents, relatives and even strangers of the same sex as the alienated party. Thus in *Ramsay vs. Ramsay* (Delaware, 1933), a wealthy mother-

in-law was directed to pay \$38,000 upon a showing that she had taken the wrong side in the domestic quarrel of her son. Although he was nearly thirty years old, it was still judicially believed that third persons could make his emotional decisions for him.

In the Montana case of *Wallace vs. Wallace* (1929), the penalty of another mother-in-law was fixed at \$20,000, on a charge of having reclaimed her son; even though there was evidence that she had tried honestly to prevent his divorce, and that the son was paying \$150 a month for his matrimonial error. An action is now pending in Honolulu wherein Marie Crawford demands \$75,000 against Halcyon and Ernest Ransome, respectively the daughter and son-in-law of her estranged husband. In another case recently filed at White Plains, New York, James Morrow, aged twenty-one years, claims damages against his stepfather, who had inconsiderately married his mother, thereby cutting off her natural attachment for the boy. In Atlanta, Georgia, eleven-year-old Martha Louise Bridwell, suing through her mother as "next friend," seeks to recover \$10,000 from her newly acquired stepmother, on the ground that she was responsible for the non-delivery of the "love, affection and support" that the child ought to receive from her father.

The identity of the parties in such suits does not depend on age, relationship, or other circumstances, save the financial personality of the defendant, and the legal opportunity of turning a conjugal accident into a shower of silver.

The attempt of the courts to mete out exact justice, in proportion to the element of guilt in each case, naturally leads to some ludicrous legal capriciousness. For although, as a matter of law, one chattel is essentially the same as another, the learned judges recognize certain degrees of culpa-

bility between the Rudolph Rassendale who kidnaps the fair Belinda at the church, and the subtler ruffian who bombards the cottage of a man who spends his evenings at the club.

Thus in *Amellin vs. Leone* (Connecticut, 1932), the suspected Don Juan pleaded that when he first rang the door bell of the Amellin household, its two tenants no longer possessed the full stock of love and devotion with which they had started to keep house. The court held that the man was not accountable for a whole consortium, but only for so much of it as was subject to pilfering at the time of his wickedness. Consequently, he was ordered to pay the former custodian no more than \$3,500:

If, on the other hand, the husband and wife lived unhappily, this tends to show the husband's loss was not so great as if their relations had been agreeable. Everything which tends to show that the plaintiff's loss was not so large . . . will mitigate or lessen the damages.

Hence it appears that human devotion is no less measurable than so much wheat in a domestic silo. The jury must first compute the original tonnage, then deduct the portion that has flown away through natural causes, and finally charge the thief, in money, for the exact fraction that he appropriated. This legal theory of relativity is a frequent cause of prolonged disputes between the appellate tribunals and the courts below, concerning the fair value of a specific piece of conjugal property. In the case of *Riggs vs. Smith* (Idaho, 1932), the jury concluded that the husband's total losses, all things considered, did not exceed one dollar in coin of the realm. But when the case was reviewed on appeal, the trial court was admonished that the meaning of "just damages" was "adequate damages." Without asking for an explanation of the

definition, a new jury revalued the property at \$3,500.

In another case, *Essig vs. Keating* (Washington, 1930), the jury considered all equities and points of value, and estimated that Mrs. Essig was worth to Mr. Essig exactly \$12,500. But the appellate court suggested that in calculating the wife's virtues, the twelve peers had failed to balance them against her helpmate's demerits:

[The husband] had become addicted to certain practices and vices which, if continued in, must ultimately have led to a separation with his wife.

The damages were accordingly reduced to \$5,000. A layman unskilled in the ponderosities of law and justice might observe that since the lady was bound, in all likelihood, to leave her husband eventually of her own volition, it was rather unfair to punish Keating for hastening the inevitable. It does not follow, however, that an outsider may take possession of a tottering consortium without paying something for it, even when its emotional assets are utterly depleted.

In *Halpern vs. Mendel* (1933), a New Jersey jury was bold enough to decide that since the wife had ceased to love her husband when she was lured away from him, he could recover nothing from her tempter. But the Supreme Court of the State ordered a new trial, saying:

The right of recovery in these actions does not depend solely upon loss of affections. Where the loss of consortium between husband and wife is caused by willful conduct of a third party . . . damages are recoverable, irrespective of the prior existence of actual affection between the spouses.

So it appears, as a matter of law, that marriage for love is largely a vulgar superstition. A wedded spouse can bear every imaginable domestic tragedy, except an actual cessation of housekeeping. The fact

that a household chattel, such as a husband, has lost most of the virtues he had before domestication, does not justify any outsider in spiriting him away without a penalty, if his soul-mate wants to hold on to him with all his faults. In *Block vs. Block* (1933), the Supreme Court of Maine solemnly approved a judgment for \$4,500 in favor of a wife, and held:

As unworthy as this husband appears to have been, in actions unsexed, or the puppet of family control, a man without a trade and without means or home of his own, still, if she desired his company, his affection, such as it was, . . . she had a right to it, and for its loss she is entitled to compensation.

IV

As I have already suggested, the collection of money for alienation does not depend upon any proof of carnal misbehavior; although if such a fact exists, the jury has the power to increase the damages. But an aggrieved spouse may obtain compensation for an adulterous act, even though his delinquent mate continues to occupy the conjugal bed. The suit is then known, for some archaic reason, under the euphemistic name of *criminal conversation*. A Connecticut lawgiver, in *Valentine vs. Pollak* (1920), explains the legal difference between a profound triangulation that shatters the home, and an unlawful but ephemeral experiment in *habeas corpus*:

The wife or husband may have succumbed to a stronger will, to a sudden temptation, to persuasion or artifice, while the affection of neither was estranged or stifled by the adulterous act.

However, this judicial recognition of human frailty was applicable only to Mrs. Valentine. Pollak was none the less required to pay the husband \$4,208. The co-operating Lothario in such cases is never

deemed to succumb to anything more honorable than the sheer wickedness of the big bad wolf who blows the house down. Therefore, the jury must perform the preposterous task of evaluating his sexual behavior in dollars. The petitioning spouse may be guilty of nothing less than pandering after the fact. But such moral scruples do not occur to judges who are sworn to enforce a proprietary theory of marriage. Nor does it seem to matter that the courts may be fostering the well-known badger game. The fact that the wife has been guilty of other infidelities may reduce the damages against her latest lover, but will not excuse him completely. In the Illinois case of *Axel T. Swanson vs. Howard Shannon*, there was evidence showing that the erring wife had been previously intimate with Parker Shannon, a brother of the defendant, with whom the husband had compromised his losses for \$1,000. In sustaining a verdict in a like amount against Howard, the Supreme Court of the State said:

The acts of adultery of Parker Shannon and [Mrs. Swanson] were separate and distinct acts. . . . The doctrine that satisfaction by one tortfeasor bars recovery against all other of such tortfeasors has no application.

It follows that an unusually eloquent wife may criminally converse with all members of the State militia, and that the husband can demand payment, presumably as much as \$1,000, from every successive poacher on his legal preserves. In *Matusak vs. Kulczewski* (1928), the highest court of Pennsylvania ruled:

While the keeper of a bawdy house would not have much of a reputation, that fact would not excuse the defendant from liability in debauching his wife.

It goes without saying that such antiquities provide a rich field for blackmailers

and extortionists. Naturally, their successful operations are clandestine, and cannot be gleaned from any judicial record. Nevertheless a few decisions involving petitioners who failed to obtain legal relief are highly enlightening. In *Van Hartesveldt vs. Westrate*, decided in Michigan in 1933, the defendant pleaded "a conspiracy between husband and wife to extort money from him by means of blackmail." Indeed, the record shows that the wife testified as a witness for her husband, and consented that he introduce in evidence a letter written by her to the accused homebreaker. The State Supreme Court annulled the \$8,000 verdict, and ordered a retrial.

A similar set of facts is suggested by an earlier case in the Commonwealth of Missouri. Isaiah Johnson had been ordered to pay Peter De Ford \$5,500 for the love of the latter's wife. In reversing the judgment the appellate court remarked:

There is evidence tending to show that plaintiff and his wife conspired to ensnare defendant, . . . and that plaintiff, guilty as his spouse, is playing the false rôle of an injured and innocent husband.

It may also be imagined that because of this preposterous doctrine, husbands and wives sometimes change hands in consideration of stipulated ransoms. I am personally acquainted with a wife who actually met her rival in diplomatic conclave, for the purpose of fixing the market value of her spouse. For a consideration of \$25,000 she consented to a divorce, and promised not to file an alienation suit! Such deals leave very little to be said for human dignity or the sacrosanctity of the wedded state; but it is not easy to perceive the difference between the judicial sales that take place in all such suits, and the equally matter-of-fact auctions carried out privately by the parties themselves, under threat of legal vengeance.

V

It is not surprising that the doctrine of alienation does not meet the approval of Thomas M. Cooley, one of the foremost commentators on American law. He observes that it is grounded upon "ideas which mark their origin in a rough and uncultivated society." A similar attitude is expressed, on rare occasions, by liberal trial judges. A refreshing example within my knowledge appears in the opinion of George A. Bartlett, a Nevada district judge, in *Carrol vs. Gaines*, which involved the alleged enticement of a husband. In dismissing the case, his honor said:

I cannot lend myself to the conclusion reached by grave and revered gentlemen occupying Supreme Benches, who hold affection to be property, like a bale of hay. . . . Affection is one thing a human being owns who has it to give, and no court or power on earth can enter a judgment or issue a writ that can control its disposition . . . or estimate its value in dollars.

Unfortunately, however, common sense is not the same as sound law. The only American court of last resort that would respect such a ruling is in Louisiana, where the English Common Law does not prevail. In *De Moulin vs. Monteleone* (1927), the husband sought to collect the modest sum of \$80,000, on the usual charge that his wife had voluntarily passed to another man. The Louisiana Supreme Court denied all damages because:

A law that would allow the husband compensation in money for such a wrong, would be revolting to a majority of men, and might tend more to encourage blackmail than to protect the home.

While this decision probably stands alone in America and other English-speaking countries, it has distinguished

company elsewhere. No such judicial shakedowns are possible in Spain, Italy, France, Germany or any other nation whose legal system is of Roman origin.

Fortunately, the great majority of married men and women have too much self-respect to place a greenback value on their love, or to exhibit the intimate details of their sexual or emotional lives to judicial examination. They continue to believe, despite the surviving imbecilities of medieval law, that when a domestic union has ceased to function happily, there is nothing to do but make the best of the tragedy.

To be sure, there is a small minority of married persons who willingly assume the posture of the dog in the manger, and insist that whoever succeeds in the favor of the lost mate must pay dearly. Yet even in such cases, the law does not always provide a remedy. When a wife has been lost through the high-powered trespass of a steel magnate, the accident may be turned to good account; but when she has been hypnotized by a penurious poet, it is not only impossible to collect a judgment, but the abandoned spouse may be confronted by the legal necessity of supporting them both with alimony. So that when all deductions are made, it is evident that the alienation doctrine is of service only to a comparatively small group of property-minded married folk, whose partners have been decoyed by well-healed charmers.

Hence the total abolition of the chattel theory of marriage, by legislative action in the various States, would be of small consequence to the general population. But it would withdraw judicial protection from a special kind of blackmailing that places a monetary value on human feelings, and fosters the *ex post facto* sale of human bodies.

SHYLOCK, CHRISTIAN

(*"The Merchant of Venice," Act VI*)

BY LOUIS UNTERMAYER

Enter SHYLOCK and TUBAL

SHYLOCK:

Aaron's a robber, there's an end to it.
Three thousand ducats! Does the man believe
I cannot tell a flawed and yellow bastard
From one of royal blood?—I mean the diamond.
By Moses' rod! I'll trim, I'll tutor him.
I know his bag of miserable tricks
Filched from his father. That old patriarch,
His reverend father, *selig*, used to say
"Whenever a person asks for carat diamonds
Show him the *melée* first.—No salesman's needed
To sell a man the thing he wants." These Jews!
These Jews! Put not your trust in one of them!

TUBAL:

Shylock, those notes are false as they are new.
There was a time you sang a different song.

SHYLOCK:

Pst! In your ear. The tune is popular
And I have learned to whistle it by heart.
Look you, six years ago I was the butt
Of Christian Venice, jeered and spat upon.
Pert fools with painted faces followed me
To mock and rip my Jewish gabardine.
Who were my enemies? Antonio,
Bassanio, and other merchant-wasters?
They were the least. My enemy was the state,
With legal crime, precise chicanery,
And all its smooth machinery of hate.
What was my trial? A mock, a gaudy farce.
All Venice held its sides for seven weeks

When the news trickled through familiar leaks
How Portia, in a travesty of law,
Ruled that a pound of flesh includes no blood—
Suppose your butcher were to tell you that!—
And, merriest jest of all, the Court upheld her!
My goods were forfeit—half of them, at least—
Seized by the state, mark you, the sovereign state;
And, as a crowning stroke of charity,
I was allowed to eat the flesh of swine
And plunge my fingers into blood-pudding.
Meanwhile, the Duke and the Magnificos
Approved the sentence with unblinking eyes,
While back of them the effigy of Justice
(The Lord knows how!) maintained its gravity.

TUBAL:

So, out of fear, you made yourself a Christian!

SHYLOCK:

Pronounce the word with not so great a scorn.
By Balaam's ass, we Christians too are human.
Has not a Christian eyes, hands, properties?
Can he not feel the goad and stab of life
Almost the same as the less favored races?
Does he not eat and drink and copulate
Casually like the other animals?
Does he not humbly pray to God for what
His neighbor has—and, eager to help the Lord,
First help himself as earnest of his faith?
Does he not show himself upon the peak
Of all that's civilized by playing cards,
Drinking his wits away, fouling his home,
Letting his lusts bring him to any bed?
And, by our Lady—meaning whom it may—
Is he not crowned of all, the king of commerce,
The golden rock on which the state is founded?
Oh, what a tradesman he can be! You Jews
Are shoe-string mendicants compared to him.
His world is business! Business is his hearth,
His crowded stage, his school, his synagogue.
He bloats his industries with surplus wares,
Then makes a war to find an outlet for them.
No trivial bargaining, no petty feuds
Command his thoughts; his mind is grandiose
With wholesale hatreds, huge and thriving death.

I tell you, and it is my purse that speaks,
Turn Christian, Tubal, you will profit by it.

TUBAL:

Turn Christian!

SHYLOCK:

Why not? There speaks prejudice.
Observe and judge what it has done for me.
"There's more rejoicing"—but you know the text . . .
And so the erstwhile sinner, so old Shylock
Is now an ornament of the republic.
Antonio is my friend and, what is more,
The private partner of my enterprise—
We have a diamond-cutting branch in Amsterdam.
Now that I am a pillar of the church,
Antonio's not averse to share the fruits
Of trees I pruned in my apprenticeship—
I mean the training of my Jewish years.
And so my world has honey on its tongue
Brewed, by a miracle, from vinegar.
Jessica's back. She left the fool she married,
A primping thistledown, within a year,
And now she keeps my books, mine more than ever.
I am the city's freedom and its voice.
When, in the name of trade, I call for Law,
It is the Law that, thundering, speaks for me!
They flock to me for crumbs on the Rialto;
Even Gratiano, with an eye to ducats,
Preen his best phrases, hoping for a hint
By which an honest thief might benefit;
And I am made to feel I am their equal!
Because, by Solomon, these merchants think
That, being one of them, I have forgotten
My pride, which is both refuge and rebellion,
Everything but the passion to possess;
Crying, like them, "My Gold! My God! My Gold!"
Slaying each other for a pennyweight.
Thus, clutching at their loot, I've seen them die,
Their fingers drenched in Christian blood, the cry
Of Progress and Religion on their lips.

O father Abraham, what we Christians are!
(*Exeunt*)

THE OVERCOAT

BY SALLY BENSON

IT HAD been noisy and crowded at the Milligan's and Mrs. Bishop had eaten too many little sandwiches and too many iced cakes, so that now, out in the street, the air felt good to her, even if it was damp and cold. At the entrance of the apartment house, she took out her change purse and looked through it and found that by counting the pennies, too, she had just eighty-seven cents, which wasn't enough for a taxi from Tenth Street to Seventy-Third. It was horrid never having enough money in your purse, she thought. Playing bridge, when she lost, she often had to give I.O.U.'s and it was faintly embarrassing, although she always managed to make them good. She resented Lila Hardy who could say, "Can anyone change a *can*?" and who could take ten dollars from her small, smart bag while the other women scurried about for change.

She decided it was too late to take a bus and that she might as well walk over to the subway, although the air down there would probably make her head ache. It was drizzling a little and the sidewalks were wet. And as she stood on the corner waiting for the traffic lights to change, she felt horribly sorry for herself. She remembered as a young girl, she had always assumed she would have lots of money when she was older. She had planned what to do with it—what clothes to buy and what upholstery she would have in her car.

Of course, everybody nowadays talked

poor and that was some comfort. But it was one thing to have lost your money and quite another never to have had any. It was absurd, though, to go around with less than a dollar in your purse. Suppose something happened? She was a little vague as to what might happen, but the idea fed her resentment.

Everything for the house, like food and things, she charged. Years ago, Robert had worked out some sort of budget for her but it had been impossible to keep their expenses under the right headings, so they had long ago abandoned it. And yet Robert always seemed to have money. That is, when she came to him for five or ten dollars, he managed to give it to her. Men were like that, she thought. They managed to keep money in their pockets but they had no idea you ever needed any. Well, one thing was sure, she would insist on having an allowance. Then she would at least know where she stood. When she decided this, she began to walk more briskly and everything seemed simpler.

The air in the subway was worse than usual and she stood on the local side waiting for a train. People who took the expresses seemed to push so and she felt tired and wanted to sit down. When the train came, she took a seat near the door and, although inwardly she was seething with rebellion, her face took on the vacuous look of other faces in the subway. At Eighteenth Street, a great many people

got on and she found her vision blocked by a man who had come in and was hanging to the strap in front of her. He was tall and thin and his overcoat which hung loosely on him and swayed with the motion of the train smelled unpleasantly of damp wool. The buttons of the overcoat were of imitation leather and the button directly in front of Mrs. Bishop's eyes evidently had come off and been sewed back on again with black thread, which didn't match the coat at all.

It was what is known as a swagger coat but there was nothing very swagger about it now. The sleeve that she could see was almost threadbare around the cuff and a small shred from the lining hung down over the man's hand. She found herself looking intently at his hand. It was long and pallid and not too clean. The nails were very short as though they had been bitten and there was a discolored callos on his second finger where he probably held his pencil. Mrs. Bishop, who prided herself on her powers of observation, put him in the white collar class. He most likely, she thought, was the father of a large family and had a hard time sending them all through school. He undoubtedly never spent money on himself. That would account for the shabbiness of his overcoat. And he was probably horribly afraid of losing his job. His house was always noisy and smelled of cooking. Mrs. Bishop couldn't decide whether to make his wife a fat slattern or to have her an invalid. Either would be quite consistent.

She grew warm with sympathy for the man. Every now and then he gave a slight cough, and that increased her interest and her sadness. It was a soft, pleasant sadness and made her feel resigned to life. She decided that she would smile at him when she got off. It would be the sort of smile

that couldn't help but make him feel better, as it would be very obvious that she understood and was sorry.

But by the time the train reached Seventy-Second Street, the smell of wet wool, the closeness of the air and the confusion of her own worries had made her feelings less poignant, so that her smile, when she gave it, lacked something. The man looked away embarrassed.

II

Her apartment was too hot and the smell of broiling chops sickened her after the enormous tea she had eaten. She could see Maude, her maid, setting the table in the dining-room for dinner. Mrs. Bishop had bought smart little uniforms for her, but there was nothing smart about Maude and the uniforms never looked right.

Robert was lying on the living-room couch, the evening newspaper over his face to shield his eyes. He had changed his shoes, and the gray felt slippers he wore were too short for him and showed the imprint of his toes, and looked depressing. Years ago, when they were first married, he used to dress for dinner sometimes. He would shake up a cocktail for her and things were quite gay and almost the way she had imagined they would be. Mrs. Bishop didn't believe in letting yourself go and it seemed to her that Robert let himself go out of sheer perversity. She hated him as he lay there, resignation in every line of his body. She envied Lila Hardy her husband who drank but who, at least, was somebody. And she felt like tearing the newspaper from his face because her anger and disgust were more than she could bear.

For a minute she stood in the doorway trying to control herself and then she walked over to a window and opened it

roughly. "Goodness," she said. "Can't we ever have any air in here?"

Robert gave a slight start and sat up. "Hello, Mollie," he said. "You home?"

"Yes, I'm home," she answered. "I came home in the subway."

Her voice was reproachful. She sat down in the chair facing him and spoke more quietly so that Maude couldn't hear what she was saying. "Really, Robert," she said, "it was dreadful. I came out from the tea in all that drizzle and couldn't even take a taxi home. I had just exactly eighty-seven cents. Just eighty-seven cents!"

"Say," he said. "That's a shame. Here." He reached in his pocket and took out a small roll of crumpled bills. "Here," he repeated. And handed her one. She saw that it was five dollars.

Mrs. Bishop shook her head. "No, Robert," she told him. "That isn't the point. The point is that I've really got to have some sort of allowance. It isn't fair to me. I never have any money! Never! It's got so it's positively embarrassing!"

Mr. Bishop fingered the five dollar bill thoughtfully. "I see," he said. "You want an allowance. What's the matter? Don't I give you money every time you ask for it?"

"Well, yes," Mrs. Bishop admitted. "But it isn't like my own. An allowance would be more like my own."

"Now, Mollie," he reasoned. "If you had an allowance, it would probably be gone by the tenth of the month."

"Don't treat me like a child," she said. "I just won't be humiliated any more."

Mr. Bishop sat turning the five dollar bill over and over in his hand. "About how much do you think you should have?" he asked.

"Fifty dollars a month," she told him. And her voice was harsh and strained. "That's the very least I can get along on. Why, Lila Hardy would laugh at fifty dollars a month."

"Fifty dollars a month," Mr. Bishop repeated. He coughed a little, nervously, and ran his fingers through his hair. "I've had a lot of things to attend to this month. But, well, maybe if you would be willing to wait until the first of next month, I might manage."

"Oh, next month will be perfectly all right," she said, feeling it wiser not to press her victory. "But don't forget all about it. Because I shan't."

As she walked toward the closet to put away her wraps, she caught sight of Robert's overcoat on the chair near the door. He had tossed it carelessly across the back of the chair as he came in. One sleeve was hanging down and the vibration of her feet on the floor had made it swing gently back and forth. She saw that the cuff was badly worn and a bit of the lining showed. It looked dreadfully like the sleeve of the overcoat she had seen in the subway. And, suddenly, looking at it, she had a horrible sinking feeling, as though she were falling in a dream.

DRUGGÉD INDIVIDUALISM

BY ERNEST BOYD

IN A country where so much has been achieved through large-scale production and standardization it is natural that there should be an almost nostalgic insistence upon the virtues of individualism. As the period grows more remote when the conditions of American life brought individual effort and enterprise to the fore, there is an increasing tendency to substitute the legend for reality, to employ the language of another age for the expression of ideals no longer attainable. Individualism that once was rugged is now druggéd, drugged with the heady vapors of a terminology that becomes more and more meaningless as the circumstances which inspired it change. The process of emerging from this hypnosis, like that of shaking off the effects of any drug, is unpleasant, and it is not rendered any less so by the fact that one is immediately brought face to face with the realities from which one wanted to escape.

The mark of the druggéd individualist is his inability to comprehend the rôle of the state in modern civilization; he lives on in the dream that this is a pioneering era whose needs can best be fulfilled by leaving as much as is humanly possible to private enterprise. When a nation occupies a territory so vast as the United States, this collective sense of the state as the embodiment of the national will is often merely embryonic. It is not easy to feel patriotic about half a hemisphere in the same degree as one can feel patriotic about

a limited, homogeneous area, such as nature and history have allotted to all other Western democracies. Local loyalties, therefore, are more real than national loyalties, since men are naturally devoted to that soil in which they have their roots. The New Englander's roots are not in the South, nor are the Southerner's in the West. The Federal tie is abstract rather than concrete, as is evidenced by setting the capital of the United States in a District artificially created for the purpose. There is no doubt as to the power of the Federal government to command and receive the loyalty of every American citizen in times of national crisis. But the emotional quality of that loyalty must necessarily differ from that of smaller nations in similar circumstances.

The fact that America has so rapidly and recently advanced from the status of a small pioneering country to that of the most influential of the first-class powers helps to preserve the illusions of the druggéd individualist, since it seems only yesterday that all the slogans and catchwords which beguile him were true. Every modern industrial country has undergone profound changes in the last hundred years, but elsewhere the evolution of the idea of the state, the building up of the social organism has been gradual, so that the older nations have been more prepared to accept that relationship towards the state which is nowadays essential. Only in America is government service regarded

as an inferior occupation, as tantamount to a confession of failure, or of lack of ambition, at least. Where other peoples are proud to serve their country by accepting government employment, America shows her deep-seated indifference to the state by rendering such employment both socially and financially unattractive. Why it should be ignominious for the best brains in the country to be drawn into the Civil Service, that is, into the service of the state, only the druggéd individualist can tell. Let us listen to one.

A short while ago, Mr. Mark Sullivan was reported as bemoaning the fact that the young men coming out of college who consult him as to their careers are losing hope of "attaining success by individual enterprise," owing to the "regimentation" of business under the New Deal. The deplorable prospect of giving their talents in the service of the state, instead of going into business and making money, provokes in Mr. Sullivan these reflections:

The youths who have come to me for advice this year have been puzzled and troubled in spirit. I should say that hardly one young man in ten, so long as he remains young, really likes the notion of a government career. Instinctively he feels that it is a little stifling, that it has the depressing quality of routine and regimentation, that its main recommendation is permanence and security. By instinct the larger number of normal young men prefer the competition that goes with careers in private business, the greater element of adventure and the chance, not possible in government careers, of really striking material success and reward.

Mr. Sullivan then proceeded to enlarge upon the subject by pointing out that "as surely as human beings are divided physically between blondes and brunettes" so surely are they divided between individualists by nature and collectivists by nature. This division he calmly defined as "those

who instinctively prize independence and those who instinctively prefer supervision." And his conclusion was that America's choice between the individualist and the collectivist way of life will be determined by whichever of these two temperaments dominates. Holding up Lindbergh as the perfect type of triumphant individualism, he declared that there are "some millions of Lindberghs. There are a score in every village, hundreds in every town, thousands in every city," men who "were diligent in work and ambitious in spirit, who by character and personality impressed themselves on older men, who were thereby able to borrow money and get credit, and who came to the top of their respective lines in their respective communities."

II

All the fallacies of druggéd individualism are beautifully displayed in these quotations. There is, first of all, the gratuitous insinuation that young men should have no desire to serve the state, that the Civil Service is a sort of asylum for the disabled and incompetent and aged, with its corollary that profit-making is the first and highest ideal of youth. Then comes the misleading suggestion that anyone has ever proposed that everybody is equipped for government service, and that the natural differences of human temperament should be obliterated in one vast routine bureaucracy. Very adroitly the sense of collective duty is branded as a preference for "supervision," while the slow, onerous, and frequently subservient stages of a business career are glowingly described as "independence." The professions which are not primarily chosen for gain seem to be ignored, unless one is to assume that every activity outside a government department is "business,"—a very sweeping assumption. In conclusion, of course, comes the inevi-

table "success story" of the village lad who made good, Lindbergh being a veritable godsend for the purposes of argument in these times of universal depression, with the American figures of unemployment in the neighborhood of 10,000,000.

In citing such exploits as that of Lindbergh the druggéd individualist implies, without daring to say so explicitly, that an individual of this type would be completely discouraged if in the service of the government. Yet, one seems to have heard of aviators who have flown the Atlantic and undertaken other comparable flights while members of the army, navy or air forces of their respective countries. Even under the dictatorship of Mussolini, Balbo and his armada managed to accomplish a remarkable task without having to borrow money from skeptical business men to finance the undertaking. Balbo's initiative was not stifled by bureaucracy, nor has he since been used as a catspaw by airline promoters. If, as Mr. Sullivan says, Lindbergh's spirit of rugged enterprise so deeply impressed those who advanced him the money for his flight, it is curious that he arrived in Paris so disarmingly unconscious of this backing that he was astonished at not being called upon to identify himself by means of letters of introduction. He clearly left America in ignorance of the proud confidence he is now alleged to have inspired.

Whenever the profit-making motive lands our rugged individualists in disaster, then they are only too eager for government assistance, just as they are at all times ready to use the knowledge and information which the work of various government departments places at their disposal for the further exploitation of the public whose taxes pay for these departments. When the slogan is raised: "Keep the government out of business"—this invariably

means, either that an attempt is being made to protect consumers, or that, as a result of pioneering and foresighted government expenditure, new sources of money-making have been opened up, as in the case of Boulder Dam. Why, one naturally wonders, is this precious spirit of individual, private initiative never in evidence when any project is afoot which promises benefits to the community as a whole, but only a very moderate profit in actual cash? Can it be that this boasted individualism, without which, we are told, this country will go to the dogs, is essentially none other than plain commercial greed?

This suspicion is confirmed by the history of business as contrasted with governmental enterprise. While it is conceded that many great fortunes have been made and are maintained by methods based upon something more than "diligence in work" and "ambition in spirit," as these terms are commonly understood, it is always the practice to dwell with vast pride on the success story in all its variants. The effect of success of this kind on character is never discussed, nor the question as to whether the victor in the struggle is a finer human being, a more civilized asset to the community as a result of his gratifying bank balance. Yet, it may well be that a country too thoroughly imbued with crude mercantilist philosophy, a nation of bagmen, cannot survive in a world which is growing increasingly collectivized. Whatever illusions on this score may haunt the dreams of our druggéd individualists, every great industrial nation in the world, except America, is only too well aware that the present is not a simple pioneer period in history, nor one whose problems can be met in terms of Eighteenth Century radicalism.

Yet, whenever anybody condescends to disentangle druggéd individualism from

the mere profiteering motive and to expound the philosophical background of this point of view, nothing emerges save this confusion of Eighteenth Century ideology and pioneering conditions. Thus Representative James M. Beck at the Calvin Coolidge anniversary exercises:

The Constitution is the greatest charter of individualism in the annals of the world, and under it our government, once one of the smallest nations in the world, became the master state of the world.

Certainly we built up in little more than a century, a civilization greater in diffused comfort, in equal conditions and general happiness than any other nation. We shared this mighty spirit of individual initiative with our English forbears, and it is humiliating to recall that today the people of England have retained to a greater extent the spirit of individual initiative, and as a consequence are farther advanced on the way to recovery from a world depression than we, who have in the last twelve months substituted a stupendous and unprecedented Federal bureaucracy for the initiative of the individual.

Here is the frank admission that America has far transcended the rôle foreseen by the Founding Fathers and long since passed beyond the stage of a small pioneering country. Yet, the only remedy proposed is that the government should ignore both these vital facts and revert to methods which have been proved so injurious that the only further demonstration can be to prove them ruinous. A "stupendous Federal bureaucracy" may be "unprecedented," but that does not prove that it is not desirable. The growth of America is also stupendous and unprecedented, so why should not stupendous and unprecedented methods be singularly appropriate? Mr. Beck, it will be noted, ignores the possibility that a bureaucracy, that is, the servants of the state, can have any other function than to be obstructive. If it is incompetent, if it is

obstructive, if it is dishonest—why not improve it, why not devote the time wasted on advocating impotent "individualism" to building up the prestige of the public service, to making it more worthy and representative of the community?

Nevertheless, Mr. Beck extols the individual initiative of England, from which he derives the American variety. Yet, bureaucracy in Britain has functioned for generations on the very scale that the drugged individualists denounce. There the best brains of the universities and public schools are drawn upon by the state for the army, navy and Civil Service. No young Englishman would understand Mr. Mark Sullivan's theory that government employment is the refuge of spineless creatures who are afraid of responsibility. Bureaucrats most efficiently administer services which do not even exist in this country, as they administer others which are a source of profit to the nation as a whole, whereas here those same services benefit chiefly and extravagantly those rugged individualists who happen to be large stockholders. The result of that British individual initiative which Mr. Beck so rightly admires is that the government can call upon as highly competent, as well equipped, and as experienced a group of experts in their various fields as has ever been produced even by the most generous money rewards offered by American business.

III

The advantage of attracting first-rate men into the service of the state is obvious both in foreign and domestic affairs, but drugged individualists are still convinced that money-making is the only worthy objective of man, even when making a bare living is becoming more and more hazard-

ous. The result is that, when men of genuine ability accept Federal appointments, they very soon succumb to the persistent, all-pervasive, anti-government propaganda, and are lured into private business by monetary and other considerations. They are richer for the exchange, Uncle Sam the poorer, so much so that, in emergencies, the government has to borrow qualified men from business, whereas other nations maintain their services, civil, military, and navy, in such a fashion that a man would feel as disgraced in abandoning them for trade as any soldier or sailor would feel disgraced if he started huckstering and bargaining for better terms, before going into battle.

"The individualist," said Mr. Beck, in the address from which I have quoted "is a citizen who first creates and then controls his government. The collectivist is a subject who surrenders his own judgment to the arbitrary dictates of a governmental bureaucracy." The exact opposite of this is the case. A collectivist first creates and then controls his own government, thereby controlling his own bureaucracy. An individualist of the drugged variety surrenders his own judgment to the arbitrary slogans and politicians, thereby losing control of his own government. Mistrust of the state, bordering on an almost total misconception of its functions in the modern world, is illustrated by this striking distortion of the meaning of "collectivist," which by definition involves an active belief in the use of government for collective purposes, *i.e.*, for the benefit of all. This is described as "surrender," just as the service of the state is called a desire for "supervision," and the endless kowtowings, concessions, and servilities of the business world are fondly referred to as "independence."

One would imagine that, at least since the crash of 1929, the precise limitations of

our anti-bureaucratic exemplars of private enterprise and individual initiative had become such a matter of universal knowledge, and often contempt, that it would be impossible to argue seriously that such leaders are reliable guides in national affairs. The most incompetent bureaucrats in history have never been shown up to worse advantage, while few of similar rank, standing, and responsibility have been convicted of such ruthless indifference to the public welfare, on the one hand, and of such childish helplessness and ignorance, on the other, in precisely those matters in which public confidence had vested them with complete and untrammelled authority. Yet, we find Representative Beck declaring that, "if men at times make mistakes, and all do, their mistakes are not as great or so harmful as those of the typical bureaucrat. . . . If the individual makes a mistake, it is his own error and he suffers accordingly, but if the bureaucracy makes a mistake, the individual suffers for something for which he is not responsible."

Here, again, we note the familiar technique of the drugged individualist in argument. There are two false assumptions. The first is that, when a government official blunders, he does not pay the consequences. The second is that, when the industrial and financial masterminds misled the country with bad advice and wholly fallacious prognostications, when they continued, after the crash, to misinterpret or misrepresent the facts, they alone paid the penalty, that their mistakes were less harmful and of less importance than those of a government department. Yet, statistics based on Dun's *Review*, on October 17, 1931, quoted the amount of liabilities in failures as \$332,425,638, \$473,043,174, and \$531,776,004, for the years 1929, 1930, and 1931 respectively. In December, 1929, the rugged individualism of the National City Bank found ex-

pression in the statement that "there are no great failures nor are there likely to be." In the spring of 1931 the equally rugged individualism of Andrew W. Mellon assured the Congress of the International Chamber of Commerce that reductions in wages would be avoided "at all costs."

A couple of months later he reduced the wages of all employes of the Aluminum Company of America by 10%. In fact, during those years of acute crisis, the stream of childish platitudes and evasive untruths was so promptly and regularly contradicted by the facts that Senator Simeon D. Fess had to confess indignantly that "every time an Administration official gives out an optimistic statement about business conditions, the market immediately drops." This, the druggéd individualist declared, was all because of a concerted effort to discredit President Hoover.

No bureaucracy could have been more helpless or more costly to the country than these exponents of private enterprise and initiative proved themselves and were proven to be. The only difference is that, however competent or incompetent, the bureaucrat is not out for personal gain; by the very nature of his position he has renounced money-making to devote his abilities to the public service. Whatever the anti-brain trusters may say about "professors," the latter do not, as a rule, so conduct themselves as to merit such criticism as that recently published by the Senate Banking Committee: "Many of the abuses have resulted from the incompetence, negligence, irresponsibility or cupidity of individuals in the profession." Cupidity is a powerful factor in the career of the rugged individualist. It is automatically eliminated from a first-class Civil Service. It is incredible that politicians and publicists can still continue to argue as if the choice lay

between a wasteful, extravagant, ineffectual bureaucracy and the shrewd, foresighted and self-sacrificing men of affairs. As the Senate Banking Committee's report pointed out:

Despite the grave responsibility which his fiduciary position imposed upon him, the investment banker took no steps to curb the speculative fervor which swept over the investors in his field from 1926 to 1929. On the contrary, he was content to float new issues as long as the investing public was willing and able to absorb them, regardless of the inevitable consequences.

The colossal loss sustained by the public on bond issues sponsored by the investment bankers manifests that those bankers were either incompetent or derelict in the performance of their duties.

Rugged individualists all! No wonder, when times are good, that they want the government to keep its hands off business.

IV

One might continue indefinitely citing cases to prove that government servants are not necessarily incompetent and unenterprising, and that private enterprise and initiative are not always to the advantage of the community. A vast number of services of all kinds are collectivized, more in some countries than in others, and they are as efficiently conducted as those in the hands of private ownership. The point is that, whether efficiently or inefficiently managed, their aim is not profits but the public welfare. Inefficiency and even downright dishonesty in business can exist as well as honesty and fair play. In neither case does the community benefit as it would under public ownership. In this country the legend persists from pioneering times, and is carefully cultivated for obviously interested reasons, that public ownership is always and everywhere bad,

and that the faintest approach to government control should be resisted as an attack on the liberty of the people.

The result is that there is less public ownership in America than in the other great Western democracies. In fact, nothing that can conceivably show a profit has been left to the government, State or Federal, although many services could be more economically performed by one or another of these agencies. For historical and geographical reasons, the American sense of the state is more embryonic than that of other nations, and expresses itself differ-

ently. The question, therefore, arises as to whether, in the crisis through which civilization is passing today, America can afford to indulge in the daydreams of drugged individualism, that is, individualism based upon outworn phrases and having no relation to the realities of contemporary industrial and economic conditions. Collectivism has made the army and the navy of the United States. Why should the spirit that inspires it be anathema? It also, by the way, built the Panama Canal, after the scandalous and ignominious failure of private, profiteering enterprise.

AMERICAN PLAYS IN ENGLAND

BY IVOR BROWN

IT is sometimes suggested that American plays on English stages start under handicap of prejudice. The English playgoer, according to this view, is intrinsically a nationalist, although he professes himself to be the owner of cosmopolitan appetites. He does not loudly announce his resentment against imported drama (he would be more honest if he did), but he effectively shows that resentment by abstention from the box office when American goods are on sale. He sniffs at gangster plays on the one hand and he refuses to acknowledge Eugene O'Neill as a master. Why, to clinch the argument, even during the summer of 1934, two New York successes, the roaring farce "She Loves Me Not" and the melodrama "The Dark Tower" had to be withdrawn hurriedly. The Englishman really is a stiff-necked, self-centred, self-complacent fellow, jealous of all offerings that are not tied up in red, white and blue ribbon.

That allegation of instinctive hostility to American plays is, I am convinced, false. There have been times, be it admitted, when a surfeit of trans-oceanic crook plays has evoked some bitterness from theatrical gossip-writers; but, as Americans know perfectly well, gossip-writers have a professional duty to be pert; from the pert to the sour and the spiteful is no long distance. If they cannot sharpen their nibs, they are deemed to be dull fellows and go in danger of dismissal. Vinegar in print sells better than the milk of human kind-

ness. At the same time I would submit that London theatrical journalism, both in its news-paragraphs and in its criticism, is infinitely gentler than are its New York parallels.

As far as foreign artists are concerned welcome is ample and ungrudging. In the London summer season of 1934 the conspicuous successes were Elizabeth Bergner, Austrian Jewess; the Lunts, Anglo-American combination in an American play, Robert Sherwood's "Reunion in Vienna"; and Miss Ina Claire, American actress in an American play, Behrman's "Biography." Drury Lane, which might be regarded as the home of the national theatrical tradition and high temple of Union Jackass, has housed a musical piece by Oscar Hammerstein II and Jerome Kern with Charlotte Greenwood as comedy star; all are Americans. The prejudice theory receives no assistance here. But one can see how it arises. A play, which has triumphed in America, happens to fail in England. It was known to be a good thing and it has been received with cold disfavor. What other conclusion can there be for the disappointed manager, author, and company than a vote of censure on English unwillingness, or at least on English inability, to appreciate the alien offering?

But anybody who knows the theatre can immediately refute such argument. The theatre is not a place where logical results are to be expected; it is a roulette-board where people can lose without reason and

win without justification. They lose more often than they win, and the foreign producer must expect to have his share of the losses. The man who writes a book knows that the reader will see it as he wrote it. The author of a play has no such assurance. Even if he is there to supervise and able to make his views effective he cannot be sure of an interpretation which will be faithful and adequate to his purpose and his text. There is abundant opportunity for such accidents as miscasting and faulty direction; one New York success, "Death Takes a Holiday," was killed in England by total mischoice of the leading player. It is essential to the irony of that piece that the part of Death on holiday should be played by a lively-looking actor; it was allotted in England to one best qualified to cast sepulchral shadows round Death's part.

Again, that brilliant satire on Hollywood, "Once in a Lifetime," by Kaufmann and Moss, had the misfortune to be played in London by an earnest company of repertory actors from Sir Barry Jackson's community playhouse in Birmingham. Mr. Cochran had hoped to present the piece in London with an all-American cast, which it essentially demands, but there were difficulties at the time. The pound was in trouble and worth only three and a half American dollars. The American company naturally wanted to be paid in dollars and Mr. Cochran could not face that very heavy addition to his costs. In the end, as was said, "Once in a Lifetime" was handled in London by provincial actors of fair capacity in their own line of business, but quite unable to render with full value the snap and vivacity of the play's American idiom or the full rich absurdity of the Hollywood characters. It is worth recording that a similar company of players from the same community theatre have recently

opened in London with Elmer Rice's "Counsellor-at-law" and are playing to excellent houses. That sure-fire drama has stood up to English acting. "Once in a Lifetime" was too much of its own soil.

II

It has to be acknowledged by those who would fairly view the box-office end of the London theatre that anything can happen to anyone. In winter snowy or foggy weather, or an acute incidence of the seasonal influenza, or in summer extreme heat may destroy the chances of a piece which has opened strongly. Political elections, deaths of royal persons, and labor strikes are other factors which may prove fatal to a play which was making a profit or breaking even before the trouble arrived. Naturally, these accidents bear just as hardly on the native plays as on the imported ones. But the fact has to be mentioned in order to dissuade foreign observers from jumping to hasty conclusions about English prejudices when they hear that one of the great successes of their own country has been a flop in London. Anything may have happened, from bad casting to infernal weather.

A nation which might cherish an especial grievance against London is the Hungarian, for it is a curious fact that their ingenious and successful dramatist Molnar has never had a commercial success in the English capital. Something always seems to go wrong in his case. Even "The Guardsman" failed because wrongly handled. If Miss Fontanne and Mr. Lunt had revived it, after the long run of "Reunion in Vienna," there would surely have been a very different result. But so far the roulette-board of the London theatre has never paid out on a large scale to Molnar. But that can hardly be attributed to anti-

Hungarian sentiment, since the great newspaper magnate, Lord Rothermere, is so notably favorable to all Hungarian causes that his statue has been erected in Budapest.

American playwrights who compose in the vernacular should strive hard to prevent performance by English companies unless there is obviously no chance of their piece being acted by players of its own country, versed in its own lingo. There is no dislike of that vernacular, to which the talking pictures have accustomed the English ear. Of that there is plentiful proof. A case in point was the New York (East Side) comedy "Is Zat So?" which ran for 234 performances in London despite the fact that the audience had to be supplied with a glossary on the programme. Of course, people had no time to look up the unaccustomed words and also no light to read by, if they did, but the vividness of the acting was amply sufficient to communicate the meaning where the actual sound failed to convey it. Nor is there any reluctance to enjoy the crook-and-cabaret drama of New York. "Broadway" was a strong success and there have been many like it. It must be noted that both these pieces were performed, as far as their principal parts were concerned, by American players. The idiom of American slang cannot be satisfactorily "put across" without the corresponding idiom of American acting.

England has not had the opportunity of seeing Connelly's "Green Pastures" for reasons which must be explained. The stage censorship in England was created as an office under the Crown by the politician Walpole two hundred years ago in order to silence the stage lampoons in which he was derided to his great annoyance. It is still conducted by the Lord Chamberlain and the officials who act for

him. The managers, on the whole, like it because it gives them security from persecution by Puritanical cranks and from blundering intervention by the police. Once a play has been licensed by the Lord Chamberlain for public performance it is safe and no one can do anything to interfere with its production on moral grounds.

A few years ago the Censorship was a distinct barrier to theatrical progress because very strict discipline was imposed by officials, rich in the idiocy of their kind, on all stage discussion of sexual matters, which simply meant that dirty innuendo got by while frank statement or intelligent ventilation of ideas was barred. But there has been a considerable alteration for the better, old vetoes have been withdrawn, the present officials behave like reasonable and civilized people, and the playwright, provided he does not make too much display of sexual perversion, is unlikely to find his liberty of theme and treatment seriously impeded nowadays as far as ethics are concerned.

But the Censorship is still extremely rigid on two matters. It will not permit stage-cartoons of actual persons, and it is extremely timid in matters of religion. It has a fixed rule that neither God nor Christ may appear on the stage in a public playhouse. (Over private performances given by societies with no money taken at the doors the Censorship has no jurisdiction.) One result is that in religious dramas Christ is always round the corner, which is possibly no bad thing for all concerned. Another is that "Green Pastures" is forbidden owing to the appearance of "De Lawd" in that play; this despite the total anthropomorphism of the darkies' religion. Considerable efforts were made to get a special dispensation in this case, but in vain. So the coon's paradise must remain, for English playgoers, in the text, and Mr.

Connelly must do without his English royalties, which, no doubt, he can reasonably well afford.

III

That Eugene O'Neill should establish in England a position comparable to that which he has held in his own country was unlikely, but it is certainly strange that he has not exercised a greater attraction than he has done on English managers and playgoers. Amateur companies and community theatres have made considerable use of his one-act plays, but these, as a rule, offer insufficient scope to the women who are the most numerous members of amateur theatrical clubs and so dictate the choice of plays. His larger work was introduced by Mr. Cochran to the West End of London in 1923 when he presented Miss Pauline Lord in "Anna Christie," a production made memorable for me still by the superb quality of Miss Lord's acting. This could hardly be called a failure, since it ran for more than a hundred performances; but Mr. Cochran was undoubtedly disappointed with London's response and it is doubtful whether he made a profit on his venture. At any rate, he has never staged anything of O'Neill's since then.

Mr. Paul Robeson, the negro actor, had scored a success of esteem in "Emperor Jones" before he proceeded to fascinate the general public as the songster of Ole Man River in "Show Boat." He has also appeared in "All God's Chillun Got Wings." Miss Mary Ellis magnificently sustained the long part of Nina in "Strange Interlude." But the London public could not be persuaded even by so brilliant a feat of memory and virtuosity that a play should engage their attention from five-thirty till eleven, and the reception given

to "Strange Interlude" was not warm enough to encourage any experiments with "Mourning Becomes Electra." No play of O'Neill's later than "Strange Interlude" has penetrated that curious jungle, the West End Theatre of London.

O'Neill, accordingly, can hardly regard the English playhouse as a substantial contributor to his income. He has been read, discussed, and played by repertory theatres and university dramatic clubs; he has attracted the unremunerative attentions of what may be called the Left Wing Theatre, but he has never appealed to London as America's most distinguished playwright. That fact deserves investigation. O'Neill has, in his time, written badly, even absurdly—was anything ever more dreadful than the sententious speeches given to poor old Charles at the closing stages of "Strange Interlude?"—he has committed such heavy-handed indiscretions as "Welded" and he has frequently shown a lack of humor which is strange in the author of "Marco Millions." He wants a light touch for light matters, but of his integrity of purpose and of the dramatic force to implement that purpose there can be no doubt in the minds of candid readers or observers. It is my argument that the English audience is in no way biased against the American playwright. How then do I explain the comparative coldness of the welcome shown to O'Neill?

My answer is that if O'Neill had been as English as John Galsworthy and the entire Forsyte family rolled into one and wrapped up in an Old School Tie, if he had been a baronet and watched cricket at Lord's with the proper cool concern of an English gentleman engaged upon that rarely exciting occupation, it would have made very little difference to his success as a dramatist on English stages. The number of English playgoers who will tolerate

the stark drive at serious emotions which I take to be characteristic of O'Neill is trifling and, in the expensive seats, it hardly exists. The English audience in the mass cares neither for any depth of seriousness nor for any sharpness of satire. Once a year it takes up a play which may be described as serious and flocks sheepishly to see it under the impression that it is swallowing a salutary dose of culture.

Now and again, accordingly, some lucky author cashes in on the kind of play which critics and first-nighters esteemed with the gloomy reservation that its merit would kill it in a week, so that the poor fellow might at least have some praise since he certainly would have no profit. At rare intervals some unlikely piece, "A Man With a Load of Mischief," "Richard of Bordeaux," or "The Barretts of Wimpole Street" becomes the fashion. Nobody knows why. Other plays of similar quality and ambition appear and vanish.

O'Neill has never received one of these haphazard strokes of good fortune. He may yet; for, as with roulette-boards, so with the theatre; you never know your luck. But he would be largely assisted by the arrival of an actor or actress whom everybody wishes to see in a play of his. Robert Sherwood, for instance, had no luck with "The Road to Rome;" it was not cast to the best advantage and the English like the rasping wit displayed in that raid on the Roman lines as little as they like profundities. His "Acropolis," again, was too scholarly. Not one playgoer in a thousand knew what the title meant, unless they happened to have been on a Levantine pleasure-cruise and had been vexatiously stopped in a game of deck-tennis in order to be hauled round the Parthenon. But Lynne Fontanne and Alfred Lunt brought to London his "Reunion in Vienna." When they visited England before in "Caprice" (1929) the

public was unprepared; but this time the story had gone round that here were the supreme players of comedy, perfectly adjusted in the style and rhythm of their executant genius. More important, they became the right thing to see and talk about; the town packed the Sherwood play whose considerable merits were not overlooked amid the admiration felt for the players.

On this analogy it is up to O'Neill, if he wishes for triumphs in London, to arrange for the right players at the right time, admittedly a task of some difficulty and necessitating a slice of luck as well as judgment. Miss Ina Claire appears to have conquered London straight away, which was lucky for her dramatist, Mr. Behrman, but they both arrived under the powerful auspices of Mr. Noel Coward. As a rule, it takes the American star two or more visits to become established in England; this because it takes the average Briton three months to find out anything and a play which does not find its public in three weeks cannot be nursed any longer without ruinous expenditure.

Another point is that the English play-going public is much given to preconceptions. It is not, as I have endeavored to show, afflicted by anti-American prejudice. But it does expect the new American play to behave like the kind of American play it saw and enjoyed last year. It expects its own English plays to be humorous rather than witty, inoffensive, colorful, unexhausting to the mind and totally false to the discipline and obligations of normal life. It expects American plays to be rough and tough with a generous equipment of guns and liquor and district attorneys and quivering sex-appealing blondes who are going through hell and boys who won't "come clean" even when the gangsters are gouging out their eyes or giving them "the works." If American plays are not like

that, then they ought to be gay and glossy and have scenes in the Riviera with millionaires and mistresses and a general atmosphere of good tailoring and bad morals. But O'Neill's America conforms to neither of these innocent fancies of America's life, fancies which the motion-picture industry has done a great deal to implant and very little to remove. The English accepted Rice's "Street Scene" because it contained some bloodshed. Without that it would have stood no chance, however faithfully the scene conveyed the traffic of the street and the odorous realities of a tenement amid the Ethiopian scorchings of a New York summer.

IV

It is idle to complain of this. Nations may once have been represented by their drama; it is probably fair to say that one can get a fair sense of the ardent Elizabethan spirit, its curious appetite for beauty and tolerance of bestiality, by reading, with perception and the right curiosity, a few volumes of Elizabethan plays. But no national life is nowadays mirrored in the theatre or at least in that large section of it which has commercial value and importance. The Elizabethan drama was the first to professionalize its activities and to become, as we say, commercial; otherwise William Shakespeare would not have expended time and labor on the job. But it was only innocently and tentatively exploring the average individual's desire for recreation by escape. As time went on the commercialists of the Jacobean drama exploited romantic comedy of little relevance to life, since these Arcadian fairy-tales possessed escape-value, or else they turned tragedy into mere ghoulishness, as modern caterers in this market provide their ceaseless round of thrills.

But the real business of decorating or titivating life instead of exploring and interpreting it was only in its infancy. Now the entertainment industry, with its huge market of the moronic millions, has really learned its business; its actors are certainly not to be the abstracts and brief chronicles of their time or to hold the mirror up to nature in any form at all. They are to be the drolls or the decorators or the sensation-mongers of their epoch and the plays in which they appear must be designed to present them in those capacities. English plays are not about England; they are about a tiny section of English life which is of no consequence, and they rarely tell the truth about that. Their real object is to provide escape from England (from 8.30 P.M. to 11 P.M.) and I suppose the same is true of America, though rather less so in New York, which has the nucleus of an audience ready to pay more respect to the historical ambitions and responsibility of the drama. But, on the whole, escape is everywhere the ideal, and escape by ceaseless chattering about, and display of, sex is generally judged to be the easiest and most profitable way of satisfying that appetite for release.

Accordingly the average American play which reaches the West End of London is an escape play; it may be about Vienna, that home of honeyed dreams and of hearts that leap in waltz-time—for everybody except the Viennese. Or it may be about artistic folk who are apparently fed by the ravens, and so have ample time for the offices of Love. Or it may be about gun-laden gangsters muscling in on innocent homes and abducting sweet little blondes to do and suffer terrible things in cellars under Broadway. The English suburban public, knowing that such happenings are unlikely to befall themselves, can watch these dizzy goings-on with that feeling

of personal security which is essential to the average sensual man's excitement. Or they can admire the elegant and adorable misbehavior of yacht-owning Americans who invade the French Coast of Blue in order to leave it more so. Occasionally, somebody offers them a picture of the American who is neither preposterously rich nor preposterously drunk nor preposterously wicked and they are bored with it, not because the spectacle is American but because any aspect of such humdrum reality seems to them out of place in the House of Pleasure.

English plays of sober middle-class life, plays about people who save to educate their children and somehow pay their taxes, occasionally appear and fail regularly to please in exactly the same way and for exactly the same reason. They do not offer escape. Thus, if the real America does not appear upon the English stage, it is equally true that the real England does not appear there either.

The English and American theatres are now so closely interwoven by exchange of plays and players, by hands across the sea (and into one another's pockets), that it is impossible to generalize about different "schools" of composition in the two countries. It can perhaps be said that America delivers a special type of hard-boiled fun of which men like Kaufman are the most skilful and energetic creators; this hard-hitting stuff is not always appreciated in England (witness the failure of "She Loves Me Not"), where the idiom and sometimes the vocabulary are naturally unfamiliar. America's freedom from censorship and greater license of personal and political comment have resulted in such a masterpiece of social satire as "Of Thee I Sing." England has no parallel to that, though Mr. A. P. Herbert could probably do the job tartly enough if he had the

chance to indulge his talent for theatrical rhyming and his hatred of political humbug, obstruction, and inertia. But it is just here that the Censor, having almost abdicated from his schoolmasterish attitude to sex, sits tight; the English politicians are sacrosanct as far as the playhouse is concerned. Pictorial cartooning, however, has complete freedom and is practised by such an artist as Low with really mordant humor.

Acting, on the other hand, and the direction of acting do reveal some clear signs of divergence in the two countries. English acting, applied, as it nearly always is, to rather tranquil plays of a realistic order, plays which prefer understatement to rhetoric and tap their points instead of hammering them home, has developed a technique of quietism; it is resolutely unflamboyant. Mr. van Druten is a typical English playwright of his time and his plays evoke a certain type of considered, sensitive acting which avoids strong emphasis and cultivates the delicate suggestion. It would be absurd to say that American acting has more violence and is in any way vulgarly intemperate; but what strikes an English observer most frequently is the better command of pace and rhythm displayed by American companies. Perhaps fluency is the best word to describe the significant quality of American team-work. One does not feel in this case that a play is composed of separate lines, first A's line, then B's line, then A's again; instead one has a sense of dialogue moving like a stream, each contributor adding his own twist or eddy, while the whole has a unity of flux which is extraordinarily true to the social intercourse of ordinary life. Such acting provides a true "conversation piece" and to listen to Miss Fontanne and Mr. Lunt is to realize the exquisite possibilities of such partnership in parody.

English visitors to New York usually report that the American theatre seems more alive than the English. American visitors to London, on the other hand, find the audiences more enthusiastic, despite the English reputation for a phlegmatic disposition. Many American actors must have been agreeably surprised by the warmth of the reception awarded to a successful play on its first night. There is certainly no prejudice against American players, as I believe there is no prejudice against American plays. Indeed, as I write this, I read that a young American actress, Miss Carol Goodner, who has done increasingly good work over here, has been selected to play leading Shakespearean parts next winter at the Old Vic, which is a popular institution on the south side of the Thames that has lately attracted enormous attention owing to the season played there by Mr. Charles Laughton and other stars. There is something particularly English about this centre of popular culture with its cheap prices and huge, enthusiastic crowds of loyal devotees who

come every winter, month after month, to see a cycle of classic plays. Miss Goodner will be the first American to take a leading part in these native rites and she can rely upon a most enthusiastic reception; she has, of course, to prove her worth, but that proven, the idea of any anti-American resentment is unthinkable.

The summer of 1934 has been essentially an international season in the London theatre. Two French companies have arrived, Gaston Baty's from the Theatre Montparnasse and one from the Comédie Française, as well as Bergner, the Lunts, and Ina Claire. Two American plays "Reunion in Vienna" and "The Pursuit of Happiness," played by an all-American company and most warmly praised by the critics both for writing and performance, were prominent leaders in the box-office roll of popularity.

No, the bitter cry of English insularity is not to be heard except on rare occasions and then it is voiced by people of no importance whose bite is even smaller than their bark.

THE SAD TALE OF RAMSAY MAC

BY OSWALD GARRISON VILLARD

NO BITTERER words were ever uttered by one old comrade about another than Philip Snowden's recent outburst as to Ramsay MacDonald—"Ramsay Mac" to all his old friends—when he declared that "there was no profession he [MacDonald] had ever made, no pledge he had ever given that he would not break, and no humiliation to which he would not submit if only they would allow him to call himself Prime Minister." Truthful as this may be, it was none the less indecent for Philip Snowden to make such a statement. Ramsay put him into the Cabinet and, doubtless to please Snowden's wife, made him a Viscount. When men have been so close and so devoted for years, it seems as if such excoriation as Snowden has indulged in several times had best be left to others—with deference to good taste and reverence for an old and war-tried intimacy. For they sound far more like the venting of spleen and personal pique than the statements of a statesman.

Besides, it is not necessary to call further attention to the melancholy situation of MacDonald now, technically, for the fourth time Prime Minister of Great Britain. When the head of England's government left recently for his vacation, the newspapers gave but little space to his departure; his movements in Canada and Nova Scotia elicited only an occasional three- or four-line cable. No sooner had his ship faded into the horizon, than the government went full-steam ahead, and Stanley

Baldwin, as acting Prime Minister, made the astonishing statement that "since the day of the air the old frontiers are gone. When you think of the defence of England you no longer think of the chalk cliffs of Dover, you think of the Rhine." This statement may prove fateful to England; it brings another great war distinctly nearer, and is about as opposed to everything that Ramsay Mac once stood for as could well be. One could venture to bet dollars to doughnuts that he was never even consulted about such a startling and far-reaching declaration of policy.

For MacDonald is the prisoner of the Coalition Government—a coalition which is nothing but the tail of the Conservative dog. The Conservatives dominate the Cabinet so much that there is no earthly reason for keeping MacDonald as its head, except that he obligingly takes all orders, that he presents a fine front and has acquired the typical grand air which always distinguishes the heads of the British government. True, those fine, flowery, sentimental speeches with their painting of a better world just around the corner, which are so similar to the idealizing of Woodrow Wilson when he rose to his feet, no longer carry weight. It is doubtful if he could repeat, even in New York, the extraordinary success which marked, for example, his address to the Council on Foreign Relations when he came to consult with President Hoover on the Rapidan. He was at his best that night and looked the great states-

man to the full. His beautiful speaking voice was never clearer and more resonant, although he had already spoken twice that day. He was at ease because, by the nature of things, he could not be specific—being specific and giving concrete pledges and programs is something to be shunned by him whenever possible—and he was able to indulge freely in those altruistic flights of oratory which deeply moved his hearers. Although most of them were hard-boiled business men and Wall Street capitalists, he thrilled them to the edges of their chairs; they applauded him vociferously. In all earnestness, it was a notable evening.

Today his speeches in the House of Commons attract little attention, beyond causing grief to his old friends who are still judicious. It was publicly stated in the press that his last two speeches before Parliament at the beginning of August were complete flops, and so admitted. He is everywhere lampooned. Low, now probably the foremost political caricaturist in the world, presents him as the feeblest of statesmen and constantly quotes the "Now, dear friends, we are already moving to a better and brighter wur-r-rld" type of sentimentalizing which, to a considerable degree, has taken the place of concrete leadership. Never has there been a clearer case of the injury within a man as a result of doing violence to former convictions and life-long principles. The intellectual deterioration has been painfully obvious. "He will come back, no doubt" writes to me one of the most competent of London journalists, "and I suppose will be there until the election. But we have never had anything like this. His colleagues shelve him, and it makes no noise. He goes to Canada, and the papers record in small paragraphs that the P. M. is visiting the Scots of Nova Scotia. And everybody seems to forget him."

So MacDonald is at the mercy of his Conservative colleagues. He who as Labor Prime Minister stopped construction on the great British naval base at Singapore, now as Coalition Prime Minister approves of its being built up as rapidly as possible. He, who as a pacifist—ex-pacifist, rather—reluctantly gave permission for the building of three replacement cruisers merely in order to give employment to the starving shipyard men of the Clyde, makes no protest and remains in a Cabinet which is set to build up the British fleet and has just obtained the approval of Parliament for an increase of the airfleet by 460 planes so that it will equal the French. He who was a Free Trader yields to the new Protectionist policy and will apparently stand for any of the regulations controlling trade the Cabinet may vote for. He, a life-long opponent of imperialism, is part of a Cabinet whose *Weltanschauung* is entirely imperialistic. Under his premiership military "conversations" have been renewed with the French and Belgian army commanders similar to those whose sudden revelation to part of the British Cabinet and the public as war came in 1914 accompanied the statement that they added to Great Britain's obligation to plunge into the World War—at a cost of one million lives.

II

He—but why go on? The complete somersault which MacDonald turned when he dissolved his government in 1931 and went to the country needs no belaboring. He is firmly convinced that he saved England from disaster, and the fact that 95% of his friends and Labor followers disagreed with him and want nothing more to do with him does not raise a doubt in his mind. He takes the martyr's pose of one who gave all for his country. Like Theodore

Roosevelt, Woodrow Wilson, Lloyd George, and so many other politicians in office, there simply cannot be any question with him of the correctness of his position. He *knows* that he did right. He is not affected by the fact that although his surrender to the Bank of England and the Conservatives was for the purpose of keeping England on the gold standard, it promptly went off that standard and has been doing business a little better than usual ever since.

The whole question of why MacDonald was frightened into the Coalition deserves careful study. The Cabinet was overturned because MacDonald demanded certain things, such as a cut in the dole, which, he declared, the American bankers and Fleet Street financiers required if they were to come to the government's assistance with the necessary financial aid. When I published in the *Nation* the London *Daily Herald's* statement that it was the American bankers alone who had put the screws on, I was promptly informed by the partner in J. P. Morgan & Company who had personally drafted or sent all the despatches for the group of American bankers involved, that these despatches were at my disposal and that not in a single one was there any demand upon the British Ministry to bring about changes in their fiscal or social policy. Indeed, there was a direct disclaimer of any intent on the part of the New York bankers—this in reply to a cable from the Bank of England as to what they wished—to interfere in any way in British internal affairs.

But somehow an expression to the effect that naturally all well-wishers of Great Britain would be glad to see the budget balanced, was seized upon by the Montagu Norman cohorts as a club to hold over MacDonald, and MacDonald was stampeded, precisely as his first Labor

premiership came to an end after only seven months, through panicky handling of the forged Zinoviev letter. There may be other things of which I do not know; there may have been other American bankers who gave the Bank of England crowd the word they wanted. But to the facts above can be added that Mr. F. Pethick Lawrence, Parliamentary Under-secretary to the Treasury, stated that MacDonald had informed the Cabinet of the American "demands," and others of the Cabinet circle have said the same. In any event, it was a pure case of funk, in which frantic efforts were made to head off the "disaster" which actually took place a few weeks later and proved to be no disaster at all.

That *débâcle* broke the hearts of the Labor Party who were soundly trounced when the "Save England" Coalition election took place. Naturally, its remaining leaders have solemnly vowed that the first thing they will do if they get into office again will be to put such checks and bits upon the private financiers that they never again will be able to dictate or stampede a British government; the latest Labor Party program calls for "the reorganization and socialization of banking and credit." Of course, the old associates of MacDonald were horrified by his treason to their cause. They might have been prepared for it in view of his previous break with the Independent Labor Party, but no one was. His leadership of this branch—a minority—of the Labor Party was the ladder by which MacDonald rose to power. It is, and was, of course, much more radical than the Labor Party itself and its headship was held by MacDonald all through the war, during which he was so intensely unpopular, even among Labor, that when he sought to cross over to Scandinavia to take part in a conference with pacifists and anti-war

men and women from various countries, he could not step on to any steamer to leave England because the then highly patriotic and reactionary Seamen's Union forbade it. But when the I. L. P. heckled and criticized him as Prime Minister, he drew his skirts around him and promptly cast it off with a resignation which was a wrathful, holier-than-thou arraignment of the men who had, for years, in good repute and ill repute, intrusted their cause to him. They had committed the unpardonable sin of differing from him; again the parallel with Woodrow Wilson suggests itself.

Still, the Labor Party itself trusted him. I recall one of the most brilliant minds in England declaring, after the seven months' premiership, that he would resign from the party if MacDonald were again chosen as leader. But when he was, this rebel stood by and did his best for the party's success. The second Labor administration started, like its predecessor, without any fixed program for immediate radical action. It put through nothing radical or Socialistic, not even the nationalizing of the railroads. It is true that any such attempt would have created a conflict with the House of Lords and involved the making over or abolition of that body, but the fact is that nothing like nationalization of the railways was attempted and that the latest Labor manifesto calls for the immediate extirpation of the Lords. So British Socialism failed as badly, if not as disastrously, as did the German Socialists whose weakness, lack of leadership, and lack of radicalism betrayed and destroyed the German Republic. It would be unfair, of course, to lay the English failures solely at MacDonald's door. The party itself was unripe; its creative impulse, too weak; its readiness to break with English tradition and to *smash*, too little developed; its will to conquer, unforged. But after all, MacDonald was

the leader. He could have set the pace; had his will been of steel and unyielding, and had he been determined to socialize something at once, the whole history of the Labor government would have been different.

III

Instead, the dreadful acid of office-holding steadily corroded his nature. Long experience with that sad phenomenon has made me feel that no man in public life is to be deemed safe from it until he is dead. I voiced my fear for MacDonald in a foreword I wrote to Mary Agnes Hamilton's life of him, published in 1924, when I asked if the judgments we then held of MacDonald would "apply as well a year or two years hence? One puts the question fearfully because one never knows what will be the effect upon any character of holding high office and of wielding tremendous authority over millions of one's fellow-citizens." Still, at that time I felt that no other public man I had known was "as firmly rooted in the bed-rock of principle and character."

I held this view of MacDonald because I recalled his moral heroism in the war years. It has been repeatedly stated that Lloyd George told him that if he would go along in the war, he would be made one of the inner ring of the Cabinet—the small directing group. He declined, although he knew that honors and emoluments galore awaited him if he said yes. There was nothing to which he could not have aspired. Instead, he chose "the lonely furrow" and paid the price without ever complaining or asking for sympathy. He bore indignity and calumny, the charges of lack of patriotism and pro-Germanism, with lofty dignity, with absolute courage. He was expelled from his clubs; he found

many of the means by which he earned his living taken away from him. The government, of which he was destined to be the head, several times stooped to trap him by *agents provocateurs*, one of them a beautiful woman, as to whose motives MacDonald was tipped off, by sheerest accident, after her first call upon him in the guise of a sympathizing pacifist eager to communicate with friends in Germany.

Even at the Paris Conference, to which he was allowed to come as a journalist, most of his countrymen openly avoided him. I saw them repeatedly cross the street to dodge speaking to him. He joined some of us who from the first saw the sham, hypocrisy, and the inevitable disaster of that ghastly Peace Conference, in quiet, little restaurants, or back rooms, where we could voice our disappointment and fears without being spied upon or watched by men in uniform. Never did I hear one word of complaint from his lips as to his own lot; never was there any doubt as to who was right and who was wrong—or that there was any other course than that of principle and conscience, no matter what the cost.

He was really a great figure in his calmness and serenity. There seemed no future before him save that of an impecunious and unpopular journalist, with a large family to launch in life. He had been overwhelmingly defeated for reelection in the "Khaki Election" just held. No one could be found to prophesy that he would ever appear in Parliament again. If anybody had said then that just four years later MacDonald would be Prime Minister of Great Britain, he might have been arrested as a lunatic.

But MacDonald went steadfastly on. I heard and saw him at that extraordinary meeting of the Third Internationale at Berne in January, 1919, where the former enemies first shook hands and sat together,

where women as well as men, and private soldiers still in uniform, outlined the peace the beribboned diplomats and generals and presidents should have made and did not. And Ramsay MacDonald towered above them all and seemed easily the leader.

So when he took the Prime Minister's job I had a right to hope for the best. Certainly liberals and labor, pacifists and Socialists the world over, acclaimed his rise to vast power. Here was one who would stand straight; who would not compromise nor yield; who would bring about peace and disarmament; who would do justice to the defeated nations; who would uplift the masses. He did do some fine things.

His handling of foreign affairs was at first brilliant in the extreme. It was MacDonald who made Locarno possible. It was he who first made Frenchmen shake hands with Germans; the prospects for international sanity were for a time of the best. Of course, he was handicapped by being head of a minority government in both Labor administrations. Of course, he found it hard to keep a somewhat motley, a highly individualistic, following with no clear-cut aims, in line.

But here the dreadful fact is that ten years after his entering 10 Downing Street, he is still Prime Minister and yet but a shadow of his former self in reputation and prestige. That is all the harder to bear when one recalls the quiet, earnest and selfless dedication to the service of the country of the leaders of the party in 1924. They held a victory meeting in Albert Hall. There was no jubilation and no hurrahing. Only, so wrote Henry W. Massingham, the brilliant editor of the London *Nation*, to me, "a tone of mingled buoyancy and seriousness with its suggestion of a young evangelist church in the bloom of its days of faith. . . . Mr. MacDonald and his col-

leagues had come to say a difficult word to an idealistic audience. The word was moderation. It was spoken, by every one of the orators, and particularly by Mr. MacDonald, with the refined artistry of which he is a master. . . ." It seems as if a movement that was actuated by what was really a religious feeling, led by such a deep and earnest and religious nature as MacDonald's, should have made a mark to be remembered for all time.

IV

That MacDonald deeply feels his present position I have no doubt, despite his keen certainty of his righteousness. He cannot but have noticed that the men who avoided him in Paris are his chief friends and supporters now, and that his friends of the days of ill repute have gone from his life. One of them told me how he had finally brought himself to go up to the "P. M." and shake hands, and of the unconcealed gratitude in MacDonald's response. An American's story gave me the same feeling that he is longing for touch with the old allies and friends. But this time there can be no coming back. Sir Henry Campbell-Bannerman also courted obloquy and the charge of disloyalty to his country during the Boer War, only to return to popular favor and become Prime Minister. He never yielded to the poison of high office. He was the same oak-like, red-faced, stalwart Briton to the end, and his place in

British history, if not a brilliant one, is fine and secure. One dreads to think of what history will say as to MacDonald.

What will be the end? Probably he will be allowed to remain as the figurehead of the ship of state until the next election in 1936. If he then seeks to run as a Laborite, he will be fiercely assailed by all those who stood fast and refused to join the Coalition. Snowden and others may be counted on to attack him on the stump in any Labor constituency. Yet to run as a Liberal or Conservative would certainly be beyond MacDonald's powers of self-deceit. Even were it conceivable that he could be returned from a safe Conservative district, no one believes that the Conservatives themselves would do else than shelve him. "I don't see how he can go to the House of Lords," writes my journalist friend; "his elder son would hardly permit it, for Ramsay Mac would have to take an earldom, according to the retiring-premier-tradition and an earldom is too great a burden for an architect with no resources to inherit." And if the father did accept the earldom, he would find himself face to face with Snowden whenever he entered the great House. It may be that his eye trouble will be the fortunate excuse for his retirement to the quiet of his beloved Lossiemouth, where one can live for little and muse a great deal—on what might have been—and on the injustice of the world and the ingratitude of one's fellowmen. And there are always memoirs to write.

WHAT HAPPENS IN A STRIKE

BY MERIDEL LE SUEUR

WHAT happens in a strike happens not to one person alone. It is the same all over America. What happens now does not happen from or for a few people. It is a crisis with meaning and potency for all and prophetic of a future. The elements in crisis are the same, there is a fermentation that is identical. The elements are these: a body of men, women and children, hungry; an organization of feudal employers out to break the back of unionization; and the government Labor Board sent to "negotiate" between this hunger and this greed.

When men are hungry they at first mass silently, coming closely together, and then after that they are likely to do something. They are very docile at first, standing together, and then they are not docile any more.

The elements of the Minneapolis strike are identical with those of all recent strikes. The head of the organization of employers, watering his lawn a hot July the first day of the strike said, "We have already collected over \$50,000 to break this strike and continue open shop in this city. We don't care about anything but to break this strike." There followed (as in other strikes) paid advertisements in the local papers drawing the red herring across the trail saying, "Let them beware unless an outraged citizenry here take vigorous measures against them."

The strike daily, the *Organizer*, representing the striking union of General

Drivers, Helpers, Petroleum and Inside Workers, said, "Fight like one man till victory. We are not fighting an isolated cause. Ours is the cause of the whole labor movement. Should we be defeated other unions would be chopped down one by one. Fight like one man till victory."

Between these two elements a subtle barrage of words. Conferences. With the Labor Board. With the Employers. With the strikers. Cars speeding with ultimatums, with agreements, disagreements. Words like ghouls to cover an old viciousness. Words about rights, justice, freedom. Heirs to Nineteenth Century liberalism said they would deputize and go down and pick off these strikers like rabbits who dared ask for bread, and do they think they can control our streets, tell us how to run our business?

From the strikers' headquarters, in the heart of the city, straight across from a swanky club, the pickets go out every hour, covering the city, in a systemized network of pickets, which was worked out before the strike began. The newspapers said trucking was normal. In reality, not a truck was running.

From the windows of the office buildings towering above strike headquarters, which was only a flat two-storied garage, liberal doctors, lawyers, peer out. "Nothing will happen," they say to each other, but there is expectation in their eyes. "Nothing can happen. This will all be settled square and above board. Why, this is the Twen-

tieth Century! This is a civilized city! This will all be settled over the table."

Women said it was a shame that they could not get things delivered from the stores. The stores put up elegant little signs saying that owing to the strike they thought it best not to deliver goods. This gave the strikers a horse laugh since in the preceding strike they had broken the heads of hundreds of scabs!

The thermometer registered 90°, 98°, then 102°. Not a truck moved.

On Thursday the mayor and the chief of police and the employers got nervous, because nothing was happening. Picketing was peaceful and effective, the men observing the agreement of the Governor and the Labor Board to carry no clubs while negotiations were in progress. They were also urging the police to convoy no trucks, but the police paid no attention.

Then the police staged a show Thursday afternoon, with the ragged pickets looking on from their squad cars. In front of over a hundred cops, before reporters and camera men, they moved 150 pounds of merchandise in a five-ton truck. This was a decoy, supposedly a hospital truck, and the intention was to get the pickets to attack hospital supplies and make good publicity. Amidst a crowd of bystanders and picketers they loaded this truck with one box and it was convoyed, amidst the clicking of cameras, by thirty automobiles filled with cops, guns sticking out like pin cushions.

The picketers did not fall into this trap. The fake movement was a failure. The Labor Board sent out word, received word. The strikers wanted to arm after this. The president of the union said, "I can't understand a word of any of these elegant negotiations. Speak in terms of bread and butter. I'm through listening to words."

The words continued.

II

Strike headquarters is a dark old garage, that must have been a stable once. A roadway runs through the center of it where the picketers wait the call that comes from the loud speaker above the door. One side is roped off. This is the hospital, fitted with one plain table, six cots and an operating table. Buckshot wounds take lots of operating.

An old wooden stairway leads upstairs where there is an improvised auditorium where meetings are held. Here also the loud speaker penetrates incessantly: "Calling car 31. Calling car 31. Calling picket car 20. Wanted a driver and a helper. Wanted a driver and a helper . . . a driver and a helper right away. All right, fellows, we have a driver and a helper. Now let's everybody be quiet. Stand by folks for further announcements. Calling Danny. Calling Danny. His family want him to phone right away. We might as well announce right now that we can't call husbands unless they have been away four nights running. Wives remember that picketing is no grounds for divorce."

The loud speaker also throws the voice down into the street, into an area of one block, which is packed with people, standing in the hot sun, hour after hour, listening to the strike broadcast, watching the picket cars swing out of the black doorway, packed with hot, wild-looking boys, drunk with fatigue.

Upstairs also there are cots on which lie sleeping boys and men. In the rear is the commissary where at a small counter with two hundred tin cups and less plates over three thousand men are fed daily.

If you think that the commissary is organized like a church supper you are mistaken. Most of these men and women have spent years in industry, and specialization,

organization, and efficiency have been ground into their bones.

Women are making sandwiches, two are pouring coffee and buttermilk to the thick line of men, passing rapidly by, filling their cups, getting sandwiches, passing on, to squat down in the hall eating. Two are washing the tin cups as fast as they are brought back and piling them up by the pourers again. The line is heavy. The men pass down, tense, orderly. The silence is continued, the voice of the announcer penetrates. Everyone is still, listening. "Move on fellows," the women say. "Move on down, give the other fellow a chance." They move on and take their grub towards a window.

Somebody shouts, "For Christ's sake, look at that." Somebody has thrown the dregs of their coffee out the open window on to the alley below. A cry goes up. The foreman, an efficient stout woman, bawls out the offender like any mother, and they all listen, as if they were all ashamed. No one else will throw dregs or crumbs out of the window. "You aren't dry behind the ears yet," she says. "Don't you know we have to keep order here?"

The heat is intense, 114°. Nobody says a word about it. An oldish man mumbles while he is trying to get a ham sandwich instead of a cheese: "After yesterday they is sure going to be trouble," he says. "I wish I was out in the country." A young buck says fiercely, throwing sugar in his coffee, "No you don't wish you was in the country. You wish you was right here, where you belong." "Yes, sure," the old man says, "but they is going to be trouble." "Right here is where you belong, with all the fellows," the young man says, pushing him on down the line ahead of him.

There is a sign on the wall saying, "NO DRINKING. YOU'LL NEED ALL YOUR WITS." And there is not a breath, amongst all these hearty bucks, used to

roustering perhaps and drinking, there is not a fight and not a breath. There is silence, every man listening to the announcer who now is analyzing the reports, the statements, counterstatements in the morning papers. Some of them stand reading the wall bulletins, and copies of the *Organizer*, the daily strike paper, one of the first daily papers ever edited in a strike.

The paper has the current news on what the Labor Board is doing, editorials, comment. A market has been set up where the farmer brings his produce and sells directly to consumer. Besides, the farmers bring in fresh stuffs and meat and eggs to the strikers. An item tells how the men go out and round up produce.

Nob, Moas and Hanson have been doing a splendid job touring Pine County and collecting food for the Commissary. They say they get a wonderful reception wherever they go. Every farmer is interested in our struggle and anxious to help out. All day long they collect vegetables and at night they gather together with a group of farmers to butcher and dress the livestock brought in from various farms. This work they do by the light of automobile lamps, lubricated occasionally by some wonderful home brew!

Another item:

One of the rats finking for Pratts lived off our Commissary for a week. That's a man for you!

A letter from a farmer to the union:

This isn't much of a donation but all we have, times aren't so good for vegetables on the farm owing to the drouth. But we are 100 percent with you in your struggle. You must win.

We folks in Polk county have put up some brave fights. The paper don't tell you city fellows the truth about us but we assure you we are brothers to you; we will fight together to the end.

Another:

Asbestos Workers Local donates ten dollars to the strike fund.

And this:

Farrell Dobbs was found asleep hanging from a hook in the repair department last night. He says he has lost all use for beds.

And there is a serial letter that is run every day from one of the strikers named Mike to his dere emily. It runs:

Here i am at strike head $\frac{1}{4}$ an its plenty hot. Hell emily i bin thinkin the last few days. theze here bosses we got in town keep yellin in the papers and over there radios that communism and payin $54\frac{1}{2}c$ an hour is one an the same thing. well if thats what communism is, why i gess I'm a Communist an I expec most evry one in the world excep a small bunch of potbellyd and titefisted bosses must be to.

enyways we got the town tied up tighter then a bulls eye in fly time. . . .

A woman comes into the Commissary with her young baby to get the bottle warmed. Some young girls are asleep on a cot in the corner. They wear overalls and have been on picket duty. One girl says, "I come down today. My dad's been gone six days, and three days ago my ma left to work in the hospital and so I come today. I'm going to be in on it too."

Thousands of men pour down the line for lunch. The dishwater becomes black and smelling of buttermilk. It is 115° with the sun beating in. Don't spit on the floor, you lunkhead, what do you think this is? Feelings are quick and fluid, the air intense to carry meaning. Eyes looking, hands raising a thousand cups, throats burning, eyes bloodshot, the body dilated to catch every sound over the whole city. They are expecting something to happen.

Nobody knows they are tired. Nobody knows they are hot. We are all swung into the most intense and natural organization

I have ever seen. These men are on the spot, acting on their own, visible and known within the city, acting outwardly and militantly for all, and they know it. I remember hearing once how the Russian peasants walked into the cities after the Revolution, saying this is our responsibility now. This is organization that comes naturally from the event, of thousands of men conducting themselves as one man, disciplining themselves out of innate and peculiar responsibility. What is done by one member is instantly known by all. This is a quickening of the social body, this is an enlivening of the social responsibility.

It is one o'clock. Pickets have been pouring out down to the market now for two hours. Everyone is sure something is about to happen. The men bolt their lunch. You can feel the continual drain of men from the hall. The women go out in front whenever they can to see what is happening. More women, feeling something in the air, come down to be near their men. Waiting at home you get nervous and you can't hear what is going on. Out in the country thousands of farmers are sitting at their radios and will know what is about to happen almost before the extras are on the street.

Pickets continue to pour into the market area. Hundreds of men are poured out of the building and hundreds pour in filling the ranks as fast as they are emptied. The hall is very quiet now. The excited steady voice of the announcer calling cars, calling men. You cannot see men any more, only the forward-going body, the face marked by one emotion. Reports like wildfire spread. The announcer says that hundreds of cops are now in the market area armed with sawed-off shot guns.

At five minutes to two the pickets are still silently pouring out on to the line.

The doctors and lawyers were looking

out of their office windows on to the street saying nothing could happen. Six liberals were sitting in a newspaper office saying that we should *vote* a change, ballots and not bullets, they said. And they were drawn from their chairs like dummies on steel wires, by shots that lasted continuously and thickly for five full minutes. Two blocks away at the hotel the negotiators stopped their words. The women shopping on the avenue swerved, moved, listened. For five minutes the cops fired into unarmed pickets and bystanders.

III

What had happened was this: Police and pickets gathered at the market because a truck was about to be moved. The chief of police said, "We're going to start moving goods. You men have guns and you know what to do with them. When we are finished with this there will be other goods to move."

The design moved toward a crisis, clotted in centrifugal movement congealed, twisted together with horrific fury. When this movement was over every person within one hundred miles would be changed, the shape and substance of everything different. Words no longer have any meaning, for the distance is shortening between the word and the catastrophe. With a hunger now for the real happening, men, and strikers, gather at the market. Clots of them standing protective on the street, yet all moving within themselves, the cops moving in an outer circle of known authority, the picketers moving within the mass of townsfolk, a glowing mass, without visible command, yet bound together in a powerful impulse, following a design in their movement which goes from separateness, congealing swiftly into a massed and integrated form.

The police pointing the muzzles of shot guns tried to hold the circling crowd back and the pickets away. It was 102° in the shade. The sidewalk bubbled. An area was made in the center of the street by the police for this visible action which was about to show a real temper and a known intention. In that area it was about to happen.

A squad car of pickets waited in an alley for that truck to move. The truck drew up at the warehouse, was loaded, began slowly to move surrounded by police, by pointed shot guns. The picket truck moved forward to stop it, jammed into the truck and the picketers swarmed off; but instantly stopping them in mid movement, the cops opened fire, splaying them with buckshot. The movement stopped, severed, dismayed. Two boys fell back into their own truck. The swarm broke, cut into, whirled up, eddied, fell down soundlessly. The eyes closed as in sleep, and when they opened, men were lying crying in the street with blood spurting from the myriad wounds buckshots make. Turning instinctively for cover they were shot in the back. And into that continued fire flowed the next line of pickets to pick up their wounded. They flowed directly into that buckshot fire, inevitably, without hesitation as one wave follows another. And the cops let them have it as they picked up their wounded. Lines of living, solid men, fell, broke, wavering, flinging up, breaking over with the curious and awful abandon of despairing gestures, a man stepping on his own intestines bright, bursting in the street, another holding his severed arm in his other hand.

Another line came in like a great wave and the police kept firing. As fast as they broke that strong cordon it gathered again. Wherever it was smashed the body filled again, the tide fell and filled. Impelled by

that strong and terrific union they filled in every gap like cells in one body healing itself. And the cops shot into it again and again. Standing on the sidewalk, no one could believe that they were seeing this. Until they themselves were hit by bullets. Three blocks away business was moving thickly, women were shopping.

In ten minutes the militia appeared over the bridge, swarmed out of their trucks, with orders to "deploy as skirmishers." They stretched across the streets and sidewalks. They carried bomb guns, automatics, rifles with set bayonets, sub-machine guns and mounted on the trucks were machine guns.

The food truck and convoy only then began to move. The strikers stirred. From each police car shot guns were trained on the pickets. The truck rushed by.

The wounded were arrested for being shot. They were searched. Not a picket was armed with so much as a toothpick.

They had believed the words.

IV

At headquarters the wounded were brought in. "This is murder," the announcer shouted. Men were lying on the floor. Forty-eight unarmed workers had been wounded. There were only two doctors and two nurses.

The next day the words started again. Words that were now proven to be crawling with maggots, so rotten in the warp and woof murderers could come and go without detection. The mayor said the police did not carry guns for ornament. The Governor gently rebuked the city, saying there had been a truce. The Labor Board said there had been a truce. The Employers' Committee said they had never heard of a truce. The chief of police said it was his duty to protect life and property.

The strikers said, "Did you hear the story?" "No, what?" "A white woman married a cop!"

The skirts of the women had blood on them. The floor of the strike headquarters had blood on it. Already myth was growing up around the afternoon. Black Friday the men called it. The boys got out their billies which had been taken away from policemen in a previous strike. Some began to make designs of how to make a kind of dagger with an ice pick and a bit of leather. A line formed outside the hospital to give blood transfusion to the wounded.

On Saturday Henry Ness, father of four children, war veteran, died with thirty-eight slugs in his body. The temper of headquarters changed. In black letters the *Organizer* said, WORKERS' BLOOD IS SHED. THE FIGHT HAS JUST BEGUN. THE FIRST MARTYR. Four times as many pickets massed as there had been before. Night and day workers carrying their children held them up to see the body of Henry Ness.

The following Tuesday, labor followed the funeral cortege that took three hours in passing. Six solid blocks of overalled men, a solid block of women and children four abreast. Thousands of women looked out of their windows at the cortege. Thousands of men stood on the sidewalk. Children stopped skipping rope, a ball in hand, and watched, and there was not a sound. There was a silence slowly being filled with the awful condemnation of thousands of people.

A grim silence stood in the afternoon that frightened the city. Thousands marching in meticulous order, in a strange pattern, without coercion, the drama forming from deep instinctive and unified forces of real and terrible passion.

Silently, with the delicate muffled sound of many feet, past the stop and go signs

that clicked mechanically, went the marching crowd. Not a policeman was in sight. Some said the chief was out of town. They trafficked their own cortege with miraculous, with spontaneous order. Where there was a gap a man sprang into it. No one had a name except the name of sorrow and the name of action.

They marched straight through the heart of the city holding up loop traffic for over three hours. Street cars lined the city for blocks. Conductors got out of their cars and trafficked the street nearest them.

A man with a number of badges tried to break through the line at one time where the cortege had stopped for a moment and instantly his car was covered like a rotten

thing in fly time and men with baseball bats ordered him back saying that no man was going to break the cortege of labor. A man did not dare put on his hat until the *whole* cortege had passed, or he was in danger of having it knocked off for him.

Some told and retold the story of the shooting to each other, the women marching, men and women on the sidewalk. They said over and over, repeated, echoed, carried down the long line of march. "We won't *never* forget this. We won't never forget this . . ."

When men are hungry, one man dead in their cause will make living and dangerous men of slaves or skeletons.

HAS INSULIN FAILED?

BY W. W. BAUER

THE death-rate from diabetes is on the increase, in spite of the discovery by Banting and Best, in 1922, of the means of preparing a substitute for the pancreatic secretion to replace this hormone when missing. The pancreas had been recognized as a factor in sugar utilization in the human body since the historic experiments of von Mering and Minkowski, who demonstrated in 1889 that dogs from which the pancreas had been removed became diabetic. The story of diabetes goes back to the first physician who tasted the urine of patients with certain symptoms, and found it sweetish. This finding is recorded in the *Susruta*, the "great storehouse of Aryan surgery," where diabetes is designated as honey-urine. The first description of the cells in the pancreas, differing from the structure of the rest of the organ and finally identified as instrumental in the sugar metabolism, was furnished by Langerhans in 1869, but before that Cowley in 1788 and Bouchardat in 1845 had definitely shown the relationship of the pancreas to diabetes.

The cells described by Langerhans were given his name, and called islands, because they constituted isolated insular groups within the substance of the organ. The cumulative work of a number of scientists finally demonstrated the relationship between the islands of Langerhans and the disease diabetes. Sir Sharpey Schafer gave the substance concerned, so far unidentified, the name insulin, indicating its deriva-

tion from the islets of special tissue. The work of Banting and Best is thus seen as an excellent example of what is true of most scientific discoveries; they come, not out of thin air like a bolt from the blue, but as the culmination of the labors of many men, often over many years.

Insulin was hailed, and rightly, as a great victory over diabetes. Why, then, are we faced with a rising death-rate? Or are we actually faced with an increased mortality from diabetes? The office of statistical investigations of the United States Public Health Service presents preliminary figures through 1933; the final rates will not be published by the United States Bureau of the Census for about two years. Preliminary rates show that in a group of 28 States representing a total population just under 95,000,000, diabetes deaths have increased from 18.8 to 21.5 per 100,000 of population, or 14.7% since 1929. These are crude rates, uncorrected for any of the numerous factors such as age, sex and racial elements in the population, which make mortality statistics a snare for the unwary or the inexperienced, and a lush field for the foraging of racketeers who would make figures lie to their own profit. A better representation of the truth is found in the standardized rates published for groups of insured persons numbering several millions, a group large enough to be significant. In this group, the increase of diabetes mortality in 1933 was only 1% over 1932 as compared with 4.7% accord-

ing to unstandardized rates. Compared with 1911 the rise was 37.7% standardized and 83.5% unstandardized. The true picture is obviously less startling than the crude rates would indicate, but it is bad enough. The increase between 1932 and 1933 was the ninth consecutive increase in this group of insured persons.

The present rate of death represents about 27,000 deaths annually. Cases of diabetes existing at any one time in the United States were estimated by Joslin, Dublin and Marks, in April, 1934, as something under 400,000. They based their estimates on numerous sickness surveys, special studies and other sources which showed widely different percentages varying mainly according to age of the groups included in the survey. Older age groups showed higher incidence and vice versa. Lest these figures seem small compared with 126,000,000 plus of the American people, another estimate made by the same authors should also be mentioned, to wit, that the chances of dying of diabetes are 15 in every 1000 white males born alive, and 27 in every 1000 white females. Only ten years earlier, they point out, the same chances were only 13 for males and 18 for females.

The chances of death from diabetes are increasing more rapidly for females than for males. The same authors also point out that the mortality is greater in the cities than in rural areas, due in considerable part to the greater preponderance of older persons in rural areas as compared with cities. Adjustment of crude rates for variable factors of age and sex would change the magnitude of this difference but not its quality. The trend of diabetes mortality in cities has been much more sharply upward than in the rural areas, the studies of Joslin, Dublin and Marks also demonstrate.

II

Racial tendencies with respect to diabetes have been studied by many investigators. According to the authors just quoted, differences among racial stocks in the United States are not clearcut, as might have been expected. Russians and Austro-Hungarians, mostly Jews, showed a tendency to higher rates, as did the German and Irish stocks. All studies have shown a mortality higher than average among the Jews, in all lands. Lower mortalities than the average prevail among the Negro and the yellow peoples.

Occupational classifications show highest rates among what might roughly be called the middle class, including "farm owners, retail merchants, clerical workers, teachers and the like"; next come the professional and business executive groups; then, in order, skilled laborers and salespersons, semiskilled laborers, including agricultural workers, and finally unskilled laborers. This study was made in England and Wales from 1921 to 1923. Especially striking is the fact that diabetes mortality is highest in the occupations having to do with the serving of food and drink. Railway workers are high in the scale, but at the opposite end we find those engaged in hard manual labor.

The influences of varying factors upon the diabetic death-rate are indicated in part above, at least as far as age, race, station in life and specific occupation are concerned. Holbrook mentions other factors which are at work to confuse the situation. He points out that there are varying systems for reporting causes of death, emphasizing that only in comparatively recent years have health departments generally reported diabetes as the primary cause of death whenever it appears on the death certificate, in accord-

ance with the United States Classification of Joint Causes of Death. If a diabetic dies during an attack of an acute disease or from a cause other than diabetes, the death is now generally charged to diabetes. This is but recent practice; therefore it affects comparison of current figures with those of years past.

Diabetic deaths have increased, according to Holbrook, 46% between 1920 and 1932 in the groups included in his tabulations; in that same time the population has increased only 20%. He emphasizes more general recognition of diabetes, due in part to improved diagnostic opportunities through periodic health examinations, insurance examinations, and in general the increased tendency to more frequent physical examination as a result of stimuli from schools, lodges and various other sources.

The publicity attendant upon the discovery of insulin gave a powerful impetus to public interest in diabetes, and Holbrook considers that many a case was recognized in 1932 that might have escaped recognition in 1920. He then cites Joslin's studies of the diabetes incidence in Berlin, Munich and Breslau before the World War, when these cities had their full normal diet (a liberal Teutonic one). Diabetes deaths in Berlin were 250% higher than in 1918, when wartime conditions prevailed. In Munich they were 50% higher, and in Breslau 125% higher than in 1918. It is noted also by Joslin, Dublin and Marks in the study previously cited, that prolonged wars decrease the diabetes death-rates, due to "the reduction of food supplies available to civilians."

The diabetes situation is complicated by still other factors, of which perhaps the most important is heredity. Joslin, in his recently revised manual for diabetic patients, stresses the importance of heredity,

as do other workers with diabetes. Not only the children of manifest diabetics are prone to have diabetes, but the non-diabetic offspring of diabetic parents may transmit the tendency as a recessive trait, which in subsequent generations may become manifest, especially when marriage takes place between two persons, each non-diabetic, but each carrying the recessive tendency toward diabetes.

Some geneticists regard the inheritance characteristics as dominant rather than recessive hereditary traits. With an estimated 400,000 diabetic persons in the United States, there must be many additional hereditary carriers of the disease, whose children are likely to be the diabetics of the future. Marriage into a family where there has been diabetes is hazardous for the offspring of such a marriage; especially is this true if there has been diabetes on both sides, or if it has occurred in several generations. Overweight, the curse of middle-aged America of both sexes, as underweight is of its younger women, also favors the development of diabetes, though the consumption of sugar alone is not regarded as of direct significance except as part of a generalized national over-feeding among those whose favored economic position causes them to eat more and exercise less.

III

It should be apparent that insulin is but one factor in a complicated situation. Its discovery raised great hopes that the death-rate from diabetes might soon be reduced. That this has not as yet been achieved is, of course, cause for regret, but not for despair. There are definite indications that insulin has had a favorable influence on the situation, despite the increasing death-rate. Joslin is authority for the statement

that diabetes mortality has been increasing only at ages above fifty, and that at ages below fifty there have been definite decreases. He bases his opinion on the experience of one of the largest diabetic clinics in the world. Before insulin, diabetics died, as a rule, from coma or gangrene. Today, with proper treatment, coma is a rarity, and gangrene is subject to far more effective control than ever before. Diabetics now live to die of other causes, such as accidents, intercurrent acute disease, and especially arteriosclerosis. All this assumes that the patient coöperates. In addition to diet, medical supervision, insulin and exercise, Joslin gives character as a basic necessity for the treatment of diabetes.

It is among children that we find the most dramatic evidence of the effectiveness of insulin. Children with diabetes, prior to insulin, were doomed to inevitable death by slow and painful starvation. Now, properly treated, they grow up strong and healthy, though, of course, they must in many instances continue to have insulin as well as dietary treatment. Only when the child, or in the case of very young children, the parents, cannot be taught to coöperate, does disaster overtake the patient.

Insulin is not a cure for diabetes. Banting never claimed it as such. In his Nobel prize address he mentions that in some patients who have been taking insulin, improvement is noted, and the dose of insulin may be gradually reduced, but that the improvement always stops short of cure. It may progress far enough to render insulin unnecessary, but dietary control must be continued. This occurs only in the most favorable cases. It indicates recovery of the pancreas, and this has been observed, notably in one case reported by Dr. Gladys Boyd of the Hos-

pital for Sick Children at Toronto. In this case, the pancreas was examined after the patient, much improved, was killed while sleigh-riding; definite evidence of recovery was present in the cells of the pancreas.

Many diabetics and their friends, misinformed or only partially informed, hailed insulin as a cure. Naturally, they were disappointed. It is not a cure, in the sense that it terminates the disease. There are but few cures in medicine, and those, paradoxically enough, are constantly the subjects of attempts to discredit them. Insulin is not a cure, but it is, when properly used in conjunction with other necessary measures, the difference between comfort, efficiency and happiness on the one hand, and a miserable lingering death on the other; for children, it is more than that, it is a veritable elixir of life.

The ultimate control of diabetes depends upon further research into ultimate causes, upon the faithful continuance of the application of known measures of treatment, of applied eugenics among diabetics and diabetes carriers, and possibly a revolution in our mode of living with special emphasis upon greater moderation in eating and more adequate programs of physical fitness.

The question about the failure of insulin is being agitated by those with an axe to grind. The American Medical Association has exposed, through its Bureau of Investigation, numerous nostrums offered with claims to cure diabetes. That the conscienceless exploiters who offer these fakes will minimize or discredit accepted methods of treatment is a foregone conclusion. That they will capitalize on the discontent of the diabetic who short-sightedly rails against the minor inconvenience of insulin injections once or twice a day—he who has probably never experienced the despair of the diabetic in

the days before insulin—is also to be expected.

Another active influence against insulin is that of the antivivisectionists. Screaming their intemperate diatribes against anything and everything scientific, they spread the half-truth that diabetes has increased in spite of insulin. They are not interested in reasons, nor do they mention the saving of children's lives, the differential character of the increases in death-rates, or the prolongation of life and economic efficiency of adult diabetics. Aiming at the crippling of scientific research, for what purpose only Heaven can guess, their stray shots assassinate diabetics who are caught by the lure of their spurious arguments.

Those who have abandoned insulin because they lack the character to keep up the fight or because they have been cruelly misled, those who do not see a physician and go undiagnosed to a diabetic's grave, add their quota to the increases in the death-rate from the sugar disease.

The cost of continued insulin admin-

istration has been cited as a disadvantage. Insulin is expensive. It has been shown by Fitz and Murphy that insulin is a necessity for children, in persons under 40, as well as those in coma and with severe tendencies to acidosis, in cases complicated by any infectious process, and in cases of proved severity which may require surgery. For most mild diabetics it is a luxury, a means of liberalizing the diet; such patients do not actually need insulin, but may take it if they can afford it as an indulgence. In this same connection, Bowen points out that, from an economic standpoint, "the adult diabetic patient who is treated with insulin compares quite favorably with the normal individual." Insulin for such persons is cheaper than dependence or economic ineffectiveness.

Insulin has not failed. It is not failure when a physician like Joslin, experienced with diabetes before insulin and since, can prove: "The diabetic of today, properly treated, is living longer with his disease than he expected to live without it."

CONDUCT OF A GRANDFATHER, 1898

BY THOMAS BEER

IT SEEMS that on July 8, 1898, my grandfather wrote to my father: "Your eldest son caused considerable excitement by reading the Doré book on Spain all yesterday afternoon out on the horse block. Temperature about 90 in the shade. No bad results . . ."

Well, it was not a horse block in front of the square, white house on an edge of Bucyrus, Ohio. It was a low platform of silvery wood. Flat insects, uncommonly charming, lived in the cracks and interesting wagons passed into the blue countryside. Somehow, that afternoon, the house had stuffed itself with people. My youngest aunt sang for callers in the parlor. My young brother was raising the devil about prickly heat, upstairs. Judge Beer had shut the door of his cool northeastern study. An inimical force—Danish—ruled the kitchen.

I might have fled to one of two barns, to a thick orchard, to the ice house or to a pasture. But there was the carriage block, a fine thing to stretch on with the brown monster of a book. A wind rolled back and forth in Ohio. I considered cloaked men delightfully knifing each other, Doré's inimitable castles and gorges, horses shedding bowels in the bullring and carousing gypsies. The text was full of words then unfashionable—*aficionado*, *torero*, *maja* and *corrida*. Twenty years later I found out that it is much better than most books on Spain. My aunt was singing about the lost Eurydice and her grand, cold contralto flowed in the heat. It is queer not to be able

to hear "Che faro" played or sung without seeing Doré's sketch of the *picador* Calderon smirking at the crowd and smelling hot pennyroyal.

I remember bouncing on the wood as my grandfather's violin squeaked behind me. He must have been wearing slippers. He drawled, "I see that you're busy, Thomas," and went on tightening a string. And then he said, "Unless you drive some cows home, barefoot, you'll never grow up to be President." That worried me. He kept telling me that William McKinley was President because he had driven home more cows, barefoot, than had William Jennings Bryan. He made these understatement in a dry, polite tenor, his square beard settled on his chest and his solemn face bent forward.

Some of his remarks from the bench bite a little. "The defendant," he said in a divorce case in the late eighties, "appears to have read one of Count Tolstoy's novels in which the heroine tries to reconcile her husband and her paramour when she thinks she is dying. The defendant has imitated this line of conduct. *But he has also repeated the lady's mistake of not dying . . .*" These understatements baffled me when I was eight or nine and his insistence on cows as a step to the Presidency worried me.

"But I don't think I want to be President."

"Hm," said the judge. "But you'd better drive some cows in, Thomas. Might change

your mind, later. A cow in time saves a lot of trouble in campaigns."

I changed the subject. "Play 'Lord Ronald'?"

Judge Beer bowed and lifted his bow. But he did not play "Lord Ronald." A jiggly variation of "Old Hundred" came from the shabby violin, and he began to declaim gently, through his nose:

On Springfield Mounting, thar did dwell
A likely youth, I knowed him well;
Leftenant Carter's only son,
A comely youth, nigh twenty one.

One Monday mornin', he did go,
Intew the meadow for to mow;
And all ter once, he thar did feel
A pizen sarpent bite his heel.

Quick as he felt the sarpent bite
He raised his scythe, with all his might
He struck ter once a deadly blow,
That laid the pizen creeter low.

He tuk the riptyle in his hand,
And straight he went to Molly Bland;
Oh, Molly, Molly, here you see
A pizen sarpent, what bit me.

Zerubbabel, why did ye go,
Intew the meadow for to mow?
Oh! Molly Bland, I thought you knowed,
'Twas Daddy's field, and must be mowed!

Then Molly Bland, she squatted down,
And sucked the pizen from the wound;
But oh! she had a rotten tewth:
The venim soon affected both.

Oh, then they ware all spotted o'er
With all the colors that the sarpent wore.
They laid 'em both upon a bed,
And they swelled up and di-i-ed!

This pleased me a great deal, and I told him so. Judge Beer bowed and fingered the strings. But he looked towards the barns and I knew that cows were in his mind. So I ordered, "Say the one about Lord Marmion, now!"

He loosed a watery music, always thrilling. It was the "shimmer music" of the dead theater, the bumbling little sound that accompanied a villain's entrance or the flight of the lovers or something nocturnal and exciting. He declaimed:

With fruitless labor, Clara bound
And strove to stanch the gushing wound.
The Monk, with unavailing cares,
Exhausted all the Church's prayers;
Ever he said that, close and near,
A lady's voice was in his ear;
And that the priest he could not hear,
For that she ever sung—

The music changed and was slow, there.

*"In the lost battle, borne down by the flying,
Where mingles war's rattle with groans of
the dying!"*

So the notes rung. . .

The music changed to a fury and a scream.

The war, that for a space did fail,
Now trebly thundering swelled the gale,
And "Stanley!" was the cry:—
A light on Marmion's visage spread,
And fired his glazing eye:
With dying hand, above his head,
He shook the fragment of his blade,
And shouted, "Victory!—
Charge, Chester, charge! On, Stanley, on!"
Were the last words of Marmion. . .

II

After that I wanted the end of the Peri's story from "Lalla Rookh," but there is no memory of hearing him say, "Joy, joy forever, my task is done . . ." to an air from "Fra Diavolo." The cows all named for Saxon queens were visible between the barns—Ethelswitha, Ethelgunda, Elfritha and Elfrida. I had escaped this job of driving them in for another day, and my shoes were on my feet. The hired boy might grow up to be President. I didn't have to bother. We went in dignity up the flagged walk. Guests had flooded from the parlor

to the living-room and dining-room. Ice jangled in lemonade glasses. My grandmother's round fan vibrated—Are there such fans still made? Black moons of glazed stuff that folded into one stick? Everybody seemed to admire me for not being sunstruck. What comes clearly back is the voice of a gentleman known in the family as Epernetus Elasticus. He, for some reason, amused my grandfather. Judge Beer liked to tease him. . . . Everything sharpens in this cloud. Judge Beer was leaning on the mantelshelf, the bow swaying from one hand. Grandmother's fan had halted and her square, Scotch face was formally grave. "Now, judge!" said Epernetus. "Milksnakes?"

"Lots of them," Judge Beer said, "were eight and nine feet long. When we boys were milking my grandfather's cows we always kept a shotgun handy. Any morning we woke up and found one of the cows dry, one of us loaded the shotgun and took it down to the barn."

"Would they really—er—milk a cow?"

My grandfather opened his very blue eyes. "Why, what did you think they were named milksnakes for, young man?"

"Mr. Beer," said grandmother, in a Presbyterian tone. Her fan moved.

Epernetus Elasticus asked, "Were they dangerous?"

"Oh, weren't they?" Judge Beer drawled. "Early settlers out here just dreaded 'em. If a man began finding his cows dry when they came in from pasture he'd raise a yell and all the men in the neighborhood turned out with guns and cow hide whips and fence rails. The county paid a bounty of a dollar a head for milksnake skins. Yes, they were an awful pest," he said. "Dangerous? Well, when my grandfather moved out here from Pennsylvania and cleared his land, he didn't know about milksnakes. He cleared

some land and got some cows and hogs and brought his wife on from Sewickley. That was autumn. He didn't have any close neighbors. He was six miles away from the settlement. Lots of forest around here, then. Nobody near to advise him. My grandmother had a baby in the spring."

He paused there, I know. One of my uncles drifted out of the brown room. Grandmother's poplin rustled in a cane chair.

"Well," said Judge Beer, "one day a boy rode 'round to say there was a meeting in town. Some political business. My grandmother thought he ought to ride in and meet the neighbors. The baby was six weeks old and she could manage. (You couldn't hire help, in those days, except by a miracle.) Grandfather wasn't anxious to go, but he was worried about a thing. His cows were good stock. Had fine pasture, down by the river. But they weren't giving down. They were restless and thin. One of 'em tried to horn him, one day. The bull was all right. Something wrong with the cows, though. Well, grandmother wanted him to ride in and be sociable and get some advice. She argued it must be some kind of weed the cows had been eating. So he saddled up and rode in. He met a lot of the neighbors. It was a big meeting. Lasted 'til dark. Sunset when he started home. Sunset or after."

It was now very still in the room, except for my grandmother's fan.

"He picked up with an old settler—somebody he'd never seen—and they rode along," said the judge. "This was an old, hardswearing cuss. Carried a loaded shotgun across his saddlebow. Some men did, then, still. Well, they got to talking cows and my grandfather asked if this old fellow's herd was all right. Explained about his. Well, the old man turned in and swore a blue streak. 'That's milksnakes, concern

'em!' he said. 'Here, Beer, you go out with a shotgun, tomorrow afternoon, when the cows are full up with milk and lay back of a bush and watch. You'll see the pesky damn things come slidin'! They're smart, too. You blow one all to hell and rest'll make 'emself scarce!' he said. Then grandfather said, 'I don't own a gun. They make my wife nervous.' The old fellow said, 'I didn't know you'd got a wife, boy. Why didn't you fetch her to town to set with the women while we were meetin'?' So grandfather told him, 'Oh, the baby's only six weeks old!' It was moonlight, now. He saw this old fellow get white. The old man shoved his gun to him and yelled, 'Almighty God, boy! You haven't left your wife *nursin' a baby* with those snakes 'round?' He cut grandfather's horse in the side with his whip and yelled, 'Get home!'

Judge Beer swung the bow. He said, 'Somehow it seemed as though all the hoot-owls in Ohio were having a congress on that road, that night. The horse galloped. There were the owls, buds along branches, hooting and hooting. Grandfather didn't know just what he was afraid of. He rode along hell for leather. He was scared crazy—cold all over. And then when he got near the river and his place, all the owls stopped—as if they were scared, too. He came riding in and swung off his horse. The cows and the bull were restless—stamping. He ran across the garden. Saw the light in his wife's window. He sang out, 'You all right, Mary?' But she didn't answer. It was like death, around there. Still. And then—There weren't window screens, then, you know?—Then he saw this black thing—this black streamer kind of waving over the window sill. And he nearly died, right there. He just had sense enough not to run at the window. He edged in through the kitchen. . . The

door into the bed-room was open a little. He could see her sitting up, white, against the pillows and this thing's head at her breast. He—"Grandfather wiped his forehead. "Well, he aimed the gun, the Lord knows how. But his hands shook. What happened is that she saw him, or heard him. She whispered, 'Tom, don't come in here!' And the snake turned its head. Turned to look, licking its lips. And my grandfather blew its head off with one shot."

"Good heavens!" said Epernetus. "How long was the snake?"

"Nineteen feet and six inches. Its name was James G. Blaine."

"Its name was —?"

"James G. Blaine," said Judge Beer.

My grandmother said, "*Mr. Beer!*" and left the room. I think the young man called Epernetus Elasticus went away, suddenly. He seemed to blow away. After that the violin was crooning and all my aunts were singing in the dusk.

Lord Lovel, he stood at his castle gate,
A-combing his milkwhite steed
And by came the Lady Nancibel,
To wish her lover Godspeed—
God speed!
To wish her lover Godspeed.

Oh, where are you going, Lord Lovel? she said.

Oh, where are you going? said she.
I'm going abroad for a year and a day
Strange countries for to see—
To see!
Strange countries for to see! . . .

And after that there was cold milk at supper in the blue dining room with leathery oak leaves still outside the window. Flowers still scented darkness. Fireflies were silent bombs. You could hear the trains going slowly across a switch, a mile away in the fields, in that strange country where I was a child.

THE PLAGUE OF JUDICIAL OPINIONS

BY JOSEPH N. ULMAN

IN CONCLUSION, friends and fellow members of this Association, let us ever remember that ours is a profession dedicated to the public interest. From the days of the great Constitutional Convention when our Fathers produced that priceless document which is the corner-stone of our liberties down to this present troubled period, throughout the whole of our history, lawyers have dominated American life. American legislatures, the American Congress, all have been and are led by lawyers. Our government is a government of laws, not of men. It may be said truly that the greatness of America is the greatness of America's lawyers. Therefore, let us here and now dedicate ourselves anew to the fulfillment of the noble mission that is ours by right of inheritance, by right of possession, by right of Destiny—the mission of constructive and conservative leadership in the affairs of our State and nation."

These words might be a quotation from at least one speech delivered at each of the forty-eight State Bar Association meetings held this year. During the same period many leading newspapers have urged thoughtful voters to give the layman preference whenever a lawyer runs against a layman for the State Legislature; and President Roosevelt, faced by unprecedented difficulties and a tottering economic structure, turned for help to college professors rather than to lawyers. Today the vaunted leadership of the bar exists mainly in the

imagination of lawyers; the rest of the country wonders how successful the lawyers will be in their efforts to block reform.

This eclipse of the leadership of lawyers in American life is not a recent phenomenon, and at least one potent reason for it is to be found in the mechanics of our legal system. Elsewhere I have described the American lawyer as a man with his eyes in the back of his head; and he must be so if he is to be a good lawyer. It is well known that the common law is primarily a system of precedents; yet I am sure few laymen realize the extent to which that system has buried itself in a mass of printed pages that obscures thought, stifles initiative, and stultifies its practitioners.

If all the judicial opinions written and printed in a single year in the United States were laid end to end they would reach from confusion to futility. Judicial logorrhea has become a disease that will soon call for psychiatric treatment if the legal profession itself does not seek and find a cure for it. From the appellate courts of forty-eight States, from the higher Federal courts, and even from an increasing number of the lower courts, there gushes a torrent of words that defies the imagination. The output runs into figures suggestive of the mathematics of sidereal astronomy; this very year there will be printed about 175,000 pages of judicial opinions. Think of it—70,000,000 words of essays written by judges! "Anthony Adverse," in

comparison, becomes a mere pamphlet, Shakespeare's plays a curtain-raiser. And this goes on every year, with accelerated verbosity. It has been estimated that by the end of the century 10,000,000 more pages will be added, another 4,000,000,000 words. Under our system the harassed practitioner may lose his case simply because in that great mass of words he fails to find the right words and to quote them at the right time. The modern American lawyer has become a man with a mechanical mind, a mere searcher for precedents, groping among the phrases of the past. Worse than that, principles of law have become embedded in mazes of petty distinctions, and the investigation of a legal question is usually no more than a search among the records for a case that arose out of similar facts.

Is the purpose of a legal system the promotion of social justice? Is it to serve man's social needs with a high degree of present day utility? Are uniformity and certainty essential elements of its make-up? Mr. Justice Cardozo says "Yes." He says, too, that one great problem of the lawyer and judge of our day is how to reconcile those ends with a tendency to subordinate justice to precedent.

II

The enormous volume of judicial opinions has led to the invention of a system of indexing that is a credit to the ingenuity of law publishers and a striking indictment of the system. In 1896 a digest was completed of the cases reported in the American State and Federal reports from 1658 to 1896. In fifty volumes of about 2500 pages each, can be found brief abstracts of the half million or more opinions rendered in the 238 preceding years. Ten years later the same publishers brought this

mammoth index down to date. They published another twenty-five huge volumes and remarked that these presented about 250,000 new cases, "nearly half as many as in the preceding 238 years." Twenty-four similar volumes appeared in 1916, twenty-nine more in 1926. But the practicing lawyer cannot afford to wait ten years for his source material; therefore twice each year these publishers issue a current digest that carries into law libraries and the larger law offices grist fresh from the judicial mill. Each volume of the 1933 current digest contains over 2000 pages, carrying three columns of fine print to the page. Here, among approximately 2,650,000 words, the lawyer-investigator may find the clue through which he will select from the 25,000 opinions delivered last year the specific one that will win his case for him. Boundless ingenuity has gone into the preparation of these digests. There is a uniform system of section numbers so that reference by topics may be made from one digest to another. Over 44,000 subdivisions of topics have been developed; and if the investigator has the wit to know what he wants to find he is sure to find it in time. But is it to be wondered that men who give their best energies to the use of such elaborate tools become as mechanical as the tools they use?

Probably the lay reader does not realize fully the commanding importance of judicial opinion in our common law system and wonders why every word written by our judges is preserved so carefully and indexed so elaborately. It must be remembered that the greater part of our whole body of law has no basis whatever except in judicial opinions. State legislatures do not give authoritative expression to general principles of the common law, nor does the Federal Congress. These principles would seem to ripen mystically in the col-

lective judicial mind, to be garnered when the occasion arises; and only when a case has to be decided does the occasion arise. Obviously, in the early days, when those concepts of the common law that have since become fundamental had not yet taken shape in words, each new case might lead to the formulation of a guiding principle.

The first English judge who decided that a man kindled a fire on his own premises at his peril, and was responsible in damages to his neighbor if the fire spread, based his decision upon that inchoate sense of social justice that resides in the collective judicial mind. He wrote an opinion, a little essay, expressing the reasons that lay behind his decision. Later another man brought a wild animal on his premises and did not confine it carefully; the animal broke loose and injured a neighbor who brought suit. The judge who heard the case found in the opinion written years before, about the spreading fire, words that applied logically enough to the wandering bear. So he cited the opinion in the fire case as an authority for his decision in the bear case; and in that way a common law principle began to formulate itself.

But as time went on this formulation of the general from the particular began to turn upon itself like a snake swallowing its own tail. Relatively soon in the development of the common law the words used in judicial opinions began to obscure the thought that lay behind them, and classifications based on word similarity often took the place of classifications based on identity of ideas. A single example will suffice.

In England a lion is a "wild animal" and so is an elephant; but in the year 1890 it is fair to assume that most Englishmen knew that the habits of lions and

elephants are not the same. Nevertheless, in that year a high English court announced gravely that the same legal consequences flow from the insecure confinement of elephants and of lions, even though it might be proved that the offending elephant was a thoroughly domesticated beast with better manners than the average horse. If that decision was wrong in principle and as absurd as many English and American commentators thought it was, only under the common law would the wrong and absurdity be perpetuated. Under other systems of law, the foolish decision of an uninformed judge merely causes an unjust result in the case foolishly decided. Under our system the foolish opinion of an uninformed judge embalms his error; and other judges for years to come feel themselves bound to repeat his mistake.

That, however, is the least part of the evil. Most reported decisions are not absurd; generally speaking, they embody the current wisdom and good sense of their era. But they are decisions of specific cases, and each case arises out of specific events or particular transactions. In the possibly infinite variety of transactions and events that lead to law-suits no two are precisely alike, though many are similar. Therefore, to determine exactly what force a judge intended his general statement to have, such a statement must be tested by examining carefully the facts of the case that evoked it. The result is that the search for precedents becomes an elaborate process of drawing nice distinctions in which language is tortured out of any semblance of real meaning. Let him look long enough and an industrious lawyer can find a precedent on both sides of any question. Uniformity and certainty, both prime *desiderata* of a sound legal system, have been obscured in a haze of conflicting opinions,

and nobody can ever be sure how any case will be decided.

I recall an experience of my own while at the bar. I had tried, and won in the lower court, a case that presented a nice question in the law of agency. On appeal, the decision was reversed, and the Maryland Court of Appeals handed down an opinion couched in extremely broad general terms that seemed to announce an important principle of law. A few weeks later a client related to me a state of facts practically identical with those in the case I had just lost on appeal. This client was on the other side of the controversy, so I told him he was sure to win because I had just lost his case in the Court of Appeals and I really knew this point of law. Again I won in the lower court; again there was an appeal. I wrote a brief in which I quoted the general language used by the court only a few months before and set down the inescapable parallels. But again the Court of Appeals decided against me; and in its opinion said: "Counsel for the appellee has urged upon us strongly the recent opinion of this court in the case of *Leupold vs. Weeks*. With regard to that case it is sufficient to say that it rests upon dissimilar facts." A friend to whom I showed the two opinions remarked that one thing only was certain about the law of Maryland: "Whichever side you are on is wrong."

III

American lawyers, however, are positive that this system of precedents is the wisest and best system of law ever conceived by the mind of man; and I do not hope even faintly to see it supplanted by any other system. Even a revolution might fail to disturb so deeply rooted a folk-way. Nevertheless, other peoples have achieved something

they fondly believe to be civilization without laying upon their legal systems this blighting hand. In fact, it is only in England, the British Colonies, and the United States that such a system has developed. Everywhere else laws are made by legislative bodies and only by legislative bodies. They are expressed in general terms, are revised from time to time as the occasion requires; the courts confine themselves almost wholly to the application of the law to current controversies. Judges do not write essays when they decide cases, and lawyers do not have to search for precedents or make hair-splitting distinctions between precedents. The Code Napoleon, which is the modern parent of nearly all legal systems except our own, contains in its present amended form this significant paragraph: "Judges are forbidden, when giving judgment in the cases which are brought before them, to lay down general rules of conduct *or to decide a case by holding it was governed by a previous decision.*" (Italics mine.) And the French heavens do not fall!

It would transcend the limits of this paper to attempt to rehearse even briefly the arguments pro and con upon the supposed advantages of the common law system versus the code system. The strange thing is that the advocates of each ascribe to it precisely the same virtues that they deny to the other. Uniformity, certainty, flexibility—these are supreme in common law countries, non-existent in code countries, according to the testimony of common lawyers. They tell us that code lawyers and code judges must enforce narrow, hide-bound rules, that they are bound by legal strait-jackets and contribute nothing to social development. Code lawyers, on the other hand, point intolerant fingers of scorn at what they call our unscientific, archaic system and assure themselves, if not

us, that the wisdom of the ages has had its finest flowering in the European codes. In America gentlemen prefer blondes. The Chinese prefer slanting eyes. It is bootless to argue about some things.

However, there has been argument and plenty of it. As long ago as 1811 Jeremy Bentham addressed a series of letters to President Madison and other influential Americans advising us to "shut our ports against the common law, as we would against the plague." A few great leaders among American lawyers, such as Kent, Sedgwick, and Story, argued for the adoption of a code system. David Dudley Field of New York devoted the larger part of his eighty-eight years to unremitting efforts toward the same end. As early as 1839 he had begun to agitate the question; in 1885, in collaboration with John E. Dillon, he presented a trenchant argument at a meeting of the American Bar Association; and down to his death in 1893 he continued the fight. But all to no purpose.

Sporadic and half-hearted attempts have been made, such as in the New York Code of Civil Procedure of 1848 followed by similar enactments in about twenty-five states; but none of these is a true code in the European sense, which seeks to express the whole body of private law in what one writer calls "a couple of little books, the codes." Those words, by the way, are quoted from an interesting source. Robert L. Henry was an English lawyer, trained and brought up under the banner of the common law. As a judge presiding in an Egyptian court he came to have first hand experience with the administration of justice under the Code Napoleon; and writing in the *American Bar Association Journal* in 1929 he argued persuasively in favor of the superiority of the code system. Judge Henry, speaking from the vantage point of one familiar with both sys-

tems, insists that the code is simpler, more certain, and in practice actually less rigid than the common law. But it would be useless to try to convince American lawyers of that.

In fact, so deeply ingrained is our habit of writing judicial essays that when we deliberately set out to simplify and to render uniform any small segment of the law by reducing it to codified form, we begin almost immediately to undo what we have done by writing long-winded expository opinions about it. That has been the history of the Uniform Negotiable Instruments Law, for example; and that will be the history of every attempt to simplify the common law so long as our judges allow themselves the untrammelled luxury of writing an opinion in support of every decision they hand down.

The trouble is that we behave as though we have no real confidence in our own institutions and in the officials we set to man them. Most of our State constitutions make it mandatory that decisions of their highest courts shall be supported by written opinions. Mr. Chief Justice Hughes has said: "We cannot escape judicial opinions because of their vast and increasing number. They not only announce results but they are the conservators of the judicial process itself. Some judges of great intellectual power, conscious of their integrity and with implicit faith in their own judgment, may think that written opinions are largely unnecessary. But the bar knows that the best security of good and faithful work is that the judge must state his reasons. And the judge himself knows how often first impressions and even decisions passed in the conference room meet their Waterloo when the judge finds 'they won't write.'"

But does it follow that the judge's statement of reasons must take the form of a long essay and that it must be printed?

Most judicial opinions are mere repetitions of the obvious; few would ever see the light of day if subjected to the editorial approval of any competent critic of the English language. A common law judge is the only author in the world who can be assured of the publication and sale of his literary output no matter how poor it is.

At the present time the American bar, through the American Law Institute, a nation-wide organization of its leaders, is engaged upon a monumental effort to mitigate some of the evils I have mentioned by preparing and publishing a "Restatement of the Common Law." This is a great work and will have undoubted practical value to the profession. But its proponents do not even claim for it the sanction of a code; and it is self-evident that its completion will have little or no practical effect toward stemming the dreadful tide of judicial opinions that overflows the land, reduces lawyers to mechanical precedent searchers, and makes the law a hopeless muddle of conflicting authorities.

IV

What, then, are we to do about it? I find a suggestion of an answer in one of Mr. Justice Cardozo's brilliant pages. He says:

Of the cases that come before the court in which I sit, a majority, I think, could not, with semblance of reason, be decided in any way but one. The law and its application alike are plain. Such cases are predestined, so to speak, to affirmance without opinion. In another and considerable percentage, the rule of law is certain, and the application alone doubtful. A complicated record must be dissected, the narratives of witnesses must be analyzed to determine whether a given situation comes within one district or another upon the chart of rights and wrongs. The traveler who knows that a railroad crosses his path must look for approaching trains. That is at least the gen-

eral rule. In numberless litigations the description of the landscape must be studied to see whether vision has been obstructed, whether something has been done or omitted to put the traveler off his guard. Often these cases and others like them provoke difference of opinion among judges. Jurisprudence remains untouched, however, regardless of the outcome. Finally, there remains a percentage, not large indeed, and yet not so small as to be negligible, where a decision one way or the other, will count for the future, will advance or retard, sometimes much, sometimes little, the development of the law. These are the cases where the creative element in the judicial process finds its opportunity and power.

Ponder that, my brethren of the bench! How many of your learned opinions fall into Justice Cardozo's third category? These and only these should be preserved. If, to test the validity of your conclusions, you must write other opinions that do not touch jurisprudence, destroy them when they have served their purpose.

If the constitution of your State compels you to file a written opinion in every case, see to it that the constitution is amended. That simple remedy ought not to be impossible of achievement. The American people really does believe in the mental and moral integrity of its judges and would accept decisions of its high courts even if they were not backed up by confused and confusing opinions. After all, only 6% of the whole number of cases tried ever reach appellate courts and give rise to judicial essays. The other 94% are heard before judges who decide them and have done with them. The losing side curses the judge, perhaps; but the appellate judge who files a written opinion is cursed no less roundly.

To test the practical effect of this suggestion, I have run through a recent volume of the opinions of the Court of Appeals of

Maryland. In this volume are seventy-five opinions, covering 699 pages. My analysis reveals that twenty-one of these opinions discuss cases "that could not, with semblance of reason, be decided in any way but one." These are relatively short opinions, but quite useless from any point of view.

Another forty-five, on the other hand, are elaborate, closely reasoned, but equally worthless essays that deal with cases where "the rule of law is certain, and the application alone is doubtful." Opinions of this kind are worse than useless, they are positively detrimental both to the clarity of the law and the mentality of lawyers. That leaves in this bulky volume exactly nine opinions, covering 111 pages, that may be said to "touch our jurisprudence." Those opinions are worthy of publication; the rest are drivel.

I know personally the judges who wrote all this drivel and I believe they know it is drivel. My confidence in their judgment and good sense is such that I am sure they could be trusted to select the wheat from

the chaff. Repeal the absurd clause of the constitution that compels a written opinion in every case; say to our judges that we look to them for opinions in those cases only that touch our jurisprudence; at once the flow of judicial literature will be cut by 88%; and nothing of value will be lost.

Then the Restatement of the Common Law of the American Law Institute may in time come to be accepted as an authoritative substitute for the million or more earlier opinions upon which it is based; and we shall have a system of law that is certain and comprehensible and at the same time susceptible of expansion and change to meet every changing condition of life. Then, too, the American lawyer, freed from the drudgery that makes him now a mere searcher for the exact precedent, may bring his eyes round to the front of his head, where they belong, and see which way the world is moving. He may drop his rôle of obstructionist and take his place once more as a leader in the life of the nation.

PREMIER GOEMBOES OF HUNGARY

BY M. W. FODOR

IT is not sufficiently realized abroad that Hungary is the oldest dictatorship in Europe, save Soviet Russia. The Hungarians probably will protest if I describe their system of government as a dictatorship. "We are certainly a parliamentary country," they like to assert. And if one compares the system in Hungary with National Socialist Germany, with *Staen-dische* Austria or with Fascist Italy, then Hungary is indeed the home of freedom and of parliamentary government. But only in comparison. The régime which now rules Hungary, however, began as a dictatorship, and only fifteen years of slow development have brought Hungary back to a parliamentary, or rather semi-parliamentary rule. And even if the fifteen years of Hungarian dictatorship are by no means connected with one man's name as Italian Fascism is connected with that of Mussolini or German National Socialism with that of Hitler, behind the scenes of Hungarian political life during that time the name and figure of one man has loomed, namely, that of General Julius Goemboes de Jákfa, now Premier of Hungary.

Fifteen years ago the leader of a radical right movement which differed from that of Hitler only in name, Julius Goemboes, after many years of hard struggle, has succeeded to the highest political position in his country. And when he reached this highest rung on the ladder of public life, he discarded the methods once proposed by him; he threw overboard racial intol-

erance, activist anti-Semitism, and even the Fascist form of rule, and returned to a more democratic and parliamentary system of government, so often criticized by him in years gone by.

The once dashing officer has become somewhat corpulent (though not fat like Goering) during these years. I saw him for the first time thirteen years ago, soon after the putsch of Karl of Habsburg. I was with an American colleague in the lobby of the Hungarian parliament building. I pointed out Goemboes to my friend, who said: "Strange. I thought he was more of the energetic military type of man. But to me he looks like a third-rate German actor."

Goemboes, especially in civilian clothes, looks indeed very Germanic. His family originated from Wetzlar in the Rhineland, and the keen-eyed, blond-haired soldier-politician, despite his glowing Hungarian patriotism, cannot hide his German origin. The sharp aquiline nose gives only a more energetic look to the clever face.

Julius Goemboes was born on Christmas, 1886, in the small village of Murga, in the county of Tolna, Hungary. His father was the local teacher, and under the Magyarizing influence of the Hungarian governments he confessed himself to be a Magyar. The district is mainly populated by people speaking the German tongue, and the Premier's mother did not learn properly the idiom of the country until recently. She still prefers to speak Ger-

man. The great-grandfather of Goemboes was ennobled and the family is entitled to call themselves Goemboes de Jákfa. As the family originated from Wetzlar, they are Protestants.

Goemboes received his education at the military cadet school at Pécs (Fuenfkirchen). This school belonged to the Honved Army. The late Austro-Hungarian monarchy possessed three kinds of armies, the most important of which was the Imperial and Royal Mutual Army. In addition, Austria had her own local Landwehr, a kind of militia, while Hungary possessed the Royal Hungarian Honved Army—Home Defence Corps. The spirit in the mutual Austro-Hungarian army, as well as in the Austrian Landwehr, was 100% German and pro-Hapsburg. The cadet schools of these two armies were, accordingly, regardless of the nationality of the youth who received education there, "black-and-yellow to the marrow"—black-and-yellow being the colors of the Imperial house. It was quite different in the Honved schools. Here the spirit was jingo Hungarian. The teaching was in the Magyar language, and the soul of Kossuth, the hero of the Magyar liberation war of 1848, animated the youth in these schools. But if Kossuth was considered a great fighter for liberty in Hungarian history, he was regarded as a rebel in Vienna.

There was a division of loyalty already in the heart of young Goemboes. The father, though his family was of German origin, was an ardent Hungarian patriot; but his mother retained the native German tongue. This feeling of divided loyalty accompanied Goemboes throughout his life.

When Julius Goemboes was nineteen years of age, he became a second lieutenant in the Honved army. He spent three years with a regiment in Zagreb. In 1908

he was sent to participate in a course where gymnastic and fencing instructors of the army are educated. For two years he studied at this fencing school and became a first-class swordsman. Later on as a politician, even as Premier, he repeatedly had occasions to show his skill in fencing when he was challenged to duels with politicians of the opposing camp. In Hungary, somewhat like in France, political arguments are often settled by a duel.

After this he was sent to the *Kriegsschule* in Vienna. This War School was the place where the officers of the mutual army received their final education which entitled them to become staff officers.

II

The Vienna years enlarged the already existing conflict in Goemboes's soul. For twenty-four years he lived in the Hungarian parts of the Dual Monarchy, and there he gained the conviction that the Hapsburg Empire could retain her existence only if the Emperor would grant further independence to the Hungarian parts, and especially by permitting the formation of a separate Hungarian army. In Vienna an entirely different spirit dominated. Amongst the colleagues at the War School the Magyar claims for an independent army were regarded as a rebellious nonsense. For the Viennese there was only one army that mattered, namely the Mutual Army, and the Commander-in-Chief, His Majesty the Emperor Francis Joseph, was the alpha and the omega for these officers. The language spoken at the school was exclusively German; Magyar was regarded by these officers a barbarous idiom of a lower race. The Protestant soul of Goemboes, however, was not willing to bend to these views. In the bosom of Goemboes, the young lieu-

tenant, dwelt the heart of a dare-devil rebel.

It was in the dilapidated, ancient building of the War School on the Vienna Getreidemarkt that one of Goemboes's teachers, Staff-Captain Zimmermann, asked him:

"What would you do if a revolution, such as was in 1848, would again break out in Budapest and you would be serving there as a Honved officer?"

Captain Zimmermann, of course, expected that Goemboes would answer that he would immediately proceed to suppress the revolt. Instead, Goemboes answered without hesitation:

"As a Honved officer I would side, with my life and blood, with the national revolution."

Because of this answer he was almost thrown out of the War School. And once more he risked his career when in the same school he delivered a lecture about the advisability of the establishment of an independent Hungarian army. Only the fact that Captain Zimmermann discovered his excellent qualities and respected Goemboes's deep convictions saved him from being expelled from the officers' corps.

When the Great War broke out, he was sent to the Serbian front. In the spring of 1915 he was sent to the Carpathians as staff officer of a division. When in 1916 the Rumanians entered the war, he was given as military adviser to the Commissar for Transylvania, Herr von Betegh. At the successful attempt of the Austro-Hungarian troops to break through the Okna pass to Rumania, Goemboes was wounded and was taken back to Budapest. After his recovery he was sent to act as aide of General Hazay, whose job was to get more men to the front.

Hazay sent him on an important mis-

sion to Kreuznach, where the German army headquarters were situated. Goemboes here had the occasion to negotiate personally with the Generals Hindenburg and Ludendorff. Though he was, and has remained, a great admirer of Ludendorff, he came repeatedly to serious clashes with the two generals, for Goemboes was always prepared to defend the reputation of the Austrian armies from German calumnies. One day, when Ludendorff spoke deprecatingly about the Austro-Hungarian army, Goemboes again defended his soldiers. Ludendorff interrupted him:

"But do not compare the German army with yours."

Goemboes snapped in reply:

"Naturally, I cannot compare the two armies, because it is much more difficult for us to conduct the affairs of our army than it is for you to direct yours."

Back in Vienna, his Hungarian soul found new obstacles in military circles. He wrote a book, entitled "The Hungarian Army," in which he showed the ways for the creation of such an army. Needless to say, this book only brought him further enemies and roused new suspicions about him.

It was during these war-years in Vienna that Goemboes, by this time captain of the General Staff, married the daughter of the rich manufacturer of microscopes, Kommerzialrat Karl von Reichert, in Vienna. Three children, two boys and a girl, were born of this marriage. Here again fate played a trick on the glowing patriot and "racial-defender" (such as he had become later on). The extremist Magyar chauvinist, who wanted the separation of the Hungarian army from the Austrian, fell in love with a Viennese girl—the fate of his father had overcome him. Old Herr von Goemboes, though his family was of German origin, was an

extremist Hungarian and married a local girl (Goemboes's mother) whose mother-tongue was German. And now the mother of Captain Goemboes's children was a lady whose mother-tongue was also German and who felt at home only in Vienna.

The years of early married happiness, however, were clouded by cares concerning the outcome of the war. Staff-Captain Goemboes, a realist, knew that the forces of the Central Powers were not able to withstand the concentrated attacks of half the world for a long time. In addition, he noticed the growing unrest both amongst the soldiers and amongst the civilian population. In Hungary the dissatisfaction with the long war was more a question of temperament: the Magyars became often and quickly impatient. But in Vienna he could witness that the Austrian part of the monarchy was going through great privations. Goemboes also realized with uneasiness that the revolutionizing of the masses was proceeding by leaps and bounds.

The signs of unrest had found their way into the army and navy. In the early spring of 1918 there was a mutiny in the Austrian fleet which was suppressed only by the cunning tactics, and later by the utmost severity, of Rear-Admiral Nicholas Horthy, the man who one year later became Goemboes's chief. Goemboes wrote a pamphlet, entitled "What to do," in which he offered proposals for certain measures with which he thought one could palliate the unrest and thus prevent the outbreak of a revolution. But it was too late.

After the separate armistice of the Allies, signed with the Bulgarian army in September, 1918, it was clear that the Austro-Hungarian armies could no longer hold out. And at the end of October of

that year the revolutionary movement amongst the soldiers on the Italian front proceeded so far that the army could no longer offer serious resistance. On October 31 the revolution broke out in Budapest and a few days later Count Michael Karolyi became the President of the First People's Republic in Hungary. The Hapsburgs were forced to abdicate, and the separation of Austria and Hungary was proclaimed. While the establishment of independence of Hungary was a deed which pleased Goemboes, he saw, as an old officer, with misgivings the other details of the revolutionary movement.

The strong influence of the Socialist and Communist forces on the revolution was a definite danger to the members of the former officers' corps. Most of them, as far as possible, tried to obtain positions in the new Hungarian army, and so did Goemboes. In the rank of the Social-Democrats, however, the leading officers in the Hungarian officers' union—the MOVE (*Magyar Országos Védő Egylet*—Hungarian National Defense Organization, as the full title runs)—were suspect, and naturally so. On January 21, 1919, the Hungarian Social-Democratic organ *Nepszava* violently attacked Goemboes and his organization in an article, entitled "Pogrom Counter-Revolutionaries," whereupon Goemboes sent the following correction to the paper:

"The presidency of the MOVE once for all declares that it tolerates no counter-revolutionary or reactionary aims, and that it is an unflinching follower of the People's Republic and of the national social system."

At the end of 1918, after the failure of his mission in Zagreb, Goemboes was attached to the Balkan division in the War Ministry. When the Socialists demanded the resignation of the War-Minister,

Albert Bartha, and when the masses appeared before the War Office in Budapest to give emphasis to their demands, Goemboes appeared on the balcony, and, defying the wrath of the crowd, made a speech in favor of Bartha's staying in office.

To do justice to Goemboes, he sympathized with the Karolyi revolution in so far as this revolution wanted to establish an independent Hungarian state. He sympathized with the anti-Hapsburg tendency of Karolyi, but he saw with grave fears the rapid disintegration of the army under the influence of Socialist agitation. He went to see Count Michael Karolyi, the President of the Republic, and tried to persuade him that it was essential to establish a reliable and strong Hungarian defensive army.

"Without a strong national army it is impossible to make a realistic policy," he said to the President.

Karolyi told him that he was a man of the past military epoc who could not see the trend of times.

"A new world has arisen between Berlin and Bagdad," said the clever Count, "a new world which you do not understand. Try to give up your old ideology and ideas," he added.

III

Goemboes told his friends that this audience was decisive for his future activities. He saw that his ideas received no understanding in high places and now he was determined to promote the counter-revolution. He got into touch with Count Stephen Bethlen, later to be Prime-Minister, and the intrigues for counter-revolution began. After a speech which he held in the Officers' Organization against Karolyi, the state-secretary for war, the Social-Democrat Wilhelm Boehm, ordered his trans-

fer into a less exposed position. But Goemboes did not accept the transfer: he preferred being pensioned to being transferred. The counter-revolutionary activities of the MOVE became more pronounced, and Boehm ordered the dissolution of the Officers' Union. Also, when it became clear that Goemboes was keeping in contact with counter-revolutionaries in Vienna, a warrant for his arrest was issued. Some of his friends informed him about his impending arrest, and Goemboes escaped to Vienna.

In the Austrian capital Count Stephen Bethlen was the head and the heart of the counter-revolutionary activities. Count Bethlen hired rooms in the house of the Jewish cabinet-maker Rappaport in the Capistran-gasse in Vienna, and in this small flat assembled all the counter-revolutionaries who wanted to bring about the fall of the revolution in Hungary.

Very soon their hopes received a tremendous set-back: the revolution in Hungary, instead of being liquidated, received a further thrust to the left. On March 21, 1919, the Communist leader Bela Kun, allied with the Social-Democrats, succeeded in establishing a Bolshevik régime in Hungary, which lasted for five months.

Already before the outbreak of Bolshevism in Hungary, Goemboes had founded a counter-revolutionary organ in Vienna, the *Becsi Magyar Futár*. But he soon realized that Bela Kun's régime could not be fought by publicity: it needed a fight with the sword. So he left Vienna, first for Belgrade and then for Szeged, a Hungarian city which was at that time occupied by the French and the Rumanians. The enemies of Goemboes point out, probably correctly, that the life which these officers conducted in Szeged was not in conformity with the seriousness of their aims. There were veritable orgies

celebrated in the Hotel Kass where the high officers of the counter-revolutionary movement were living. Goemboes, on the other hand, was doing serious and hard work, too. He was organizing the counter-revolutionary army. At the beginning he had only 1300 men. They consisted mostly of officers and non-commissioned officers who sought refuge from Bolshevism in Szeged. They were rather loose detachments than a regular army, and these detachments retained their names later on, such as the Bardoss company, the Pronay and Ostenburg detachments or the Simonyi Hussars. Even toward the end of the Szeged episode the army consisted only of 4800 men, of whom 3500 were mere reserves. As armament they received from the French army command 1250 Mannlicher rifles, 1500 German Mauser rifles, 1500 Russian rifles, 260 carbines and 800 old-fashioned Werndl-rifles. They also had 18 field-guns.

It was obvious that with such a weak and badly equipped army it was impossible to start a war against the well-equipped revolutionary forces of Kun, which army by then had succeeded in defeating the well-organized and superiorly equipped Czech army. At the proposal of Julius Goemboes the counter-revolutionary government established in Szeged addressed a letter to the Hungarian Soviet government on May 22, 1919. Goemboes pleaded for an interview with emissaries of the Hungarian Soviets in order "to find a brotherly agreement in the interest of the Hungarian people." The letter stated that the economic forces of the country were becoming weaker day after day, and that Red Hungary was in an impossible position, being surrounded by enemies on all sides. He predicted that the Red Army would ultimately be defeated and this would cause the final collapse of Hungary.

"Gentlemen," continued the letter, "let us avoid civil war, but let us also avoid that Hungary should be forced to capitulate to foreign armies. . . . Hand over the power to us after completing a mutual agreement. This kind of capitulation would be the least debasing for Hungary, for the Hungarian army and for the Soviet government, too. In this case brother hands over power to brother. We await your emissaries for a *pourparler* in *Dorozma*." The Hungarian Soviets made a fatal mistake: they refused to accept this offer. The Hungarian Soviet government knew that the Szeged counter-revolutionary army was militarily very weak. But it was a mistake to underestimate their foreign political connections.

When this offer was not answered, the Szeged government did everything to obtain military support from the Entente to defeat the Bolsheviks. When the counter-revolutionaries asked the French General Franchet d'Esperay for armed intervention, he answered on June 26:

"Do you really imagine that we will spill French blood to set up order in Hungary?"

The French especially objected to the reactionary nature of the Szeged counter-revolutionary government, but a cabinet council on July 12 assured the French of the democratic and Francophil nature of the government. The French viewed also with great suspicion the activities of Goemboes for the organization of a Hungarian counter-revolutionary army, and he was expelled from Szeged at the end of July, 1919. On his way to Vienna Goemboes received the news of the collapse of the Bela Kun régime in Budapest. Kun handed over the power to a Socialist-bourgeois coalition government under the Premiership of Julius Peidl, a Social-Democratic printer.

When after the collapse of the Kun régime Goemboes reached Vienna, he immediately sought contact with the Western Hungarian counter-revolutionaries. Goemboes acted as the representative of the Szeged government in Vienna and participated in negotiations which aimed at the establishment of a new régime in Hungary. But while he was in Vienna, General Franz Schnetzer and Stephen Friedrich, leaders of another counter-revolutionary group in Budapest, secretly conducted negotiations with the Rumanians, who in the meantime had occupied Budapest, for the toleration of a counter-revolutionary régime instead of the semi-Socialist Peidl government. On August 6, at six o'clock in the evening, the Peidl government held a cabinet council. Suddenly two companies of Rumanian troops appeared before the palace of the Premier, and forty officers and police officials, under the leadership of General Schnetzer, Police Captain Wolkenberg and the chief of the detective service, Kormos, as well as the dentist, Andrew Cailery, penetrated into the Prime-Minister's palace, forced the Peidl government at the point of revolvers to resign, and established the new Friedrich cabinet.

Professor Jaszi, of Oberlin College, has described in one of his books these counter-revolutionaries as falling into three classes. The first group consisted of adventurers, irresponsible coffee-house demagogues, and riff-raff without any schooling or political learning. Their representative man was Stephen Friedrich who was known under the Karolyi revolution as a hyper-revolutionary who demanded that ten thousand heads should roll. This was the loudest group. The second group was that of the former officers or officials who lost their jobs through the dismemberment of the former monarchy. In the third

group were the representatives of the *ancien régime*; the counts and barons, the gentry, the priests and the bankers, etc. A very important part was also played by an intensely anti-Semitic and nationalistic *petite bourgeoisie* of German origin, such men as Friedrich, Huszar, Haller, Eckhardt, Schnetzer, Bleyer, and in that group one could number Captain Goemboes.

After the fall of Peidl, Goemboes attempted to attain unity between the Szeged group of counter-revolutionaries and the new Friedrich government. In those days he certainly lost the chance of immediate action in the front ranks by his absence from Budapest. Now he hurriedly returned to the Hungarian capital, and at the end of August, 1919, he resumed his rank as a staff captain in the Hungarian army, started to reorganize the MOVE, and he also brought into existence many social and cultural organizations standing on a "racial" (anti-Semitic) and national-Christian basis.

While the government of Hungary was seated in Budapest, the Hungarian National Army which was transported from Szeged to Siofok in the Transdanubian parts, could not enter Budapest because of the Rumanian occupation of the Hungarian capital. In Siofok was the headquarters of Admiral Nicholas Horthy de Nagybánya, the Commander-in-Chief of these forces. The various detachments had already started their punitive expeditions, and in the months August and September many hundred Bolsheviks, Socialists, Jews and even democrats were massacred by the Pronay, Ostenburg, Bardoss and Simonyi detachments. Many thousand others were taken into prisons, other thousands were sent to the concentration camp of Zalaegerszeg. Torture was a common means to extort "confessions" from "Bolsheviks."

There was much discussion as to how far Goemboes was personally responsible for this terror. Probably the murderous part of the terror never received his full consent, but as he was the creator and the soul of the new army, and as he was responsible for the organization of these detachments which committed the murderous terror acts, the blame for it is his.

IV

In October, 1919, the emissary of the Supreme Council in Versailles, Sir George Clerk (at present British Ambassador in Paris), was able to persuade Premier Friedrich to resign and to yield his place to another régime. The Rumanians evacuated Budapest as well as the country between the Danube and Theiss rivers, and the National Army could make its entry to Budapest at the beginning of November. Horthy established his headquarters in the Hotel Gellert in Budapest, and his right-hand man in the organization of the new Hungarian army was again Captain Goemboes.

At the general elections in the spring of 1920 Goemboes was elected deputy of the Toeroek-Szent-Miklos constituency. He was elected on an agrarian platform and in the first National Assembly he represented the most extreme counter-revolutionary program as well as a radical agrarian policy. Because of his decidedly anti-Hapsburg attitude he got into constant conflict with many of his deputy colleagues, especially with the counts in the legitimist (monarchist) camp, and he fought one duel after another.

Goemboes, however, was not satisfied with the rôle which he was playing, though he was one of the most influential men behind the scenes. The government was still too much in his way. Everybody

who visited the Hotel Gellert in those days realized that something was in preparation at the army headquarters.

Suddenly posters appeared all over Budapest. Just a cleverly drawn picture was on the posters. The steering wheel of a ship was depicted, and a strong hand was apparently turning the wheel. Only the hand of the pilot was visible.

The propaganda for the election of Horthy to Regent-Governor of Hungary grew day by day. The man who maneuvered the whole campaign was again Julius Goemboes. On March 1, 1920, the Hungarian National Assembly elected the commander of the Hungarian army, Admiral Horthy, to Regent-Governor of the country with a commission to rule over Hungary "until the king question can freely be settled."

As the chief councillor of Horthy, Goemboes was the real moving force behind Hungarian affairs in those days. The régime was an extreme radical right régime, much like that of the Hitlerites in Germany. In fact, this White régime in Hungary was the first Nazi government in Europe: it was petit-bourgeois, militarist, nationalist, racial, and anti-Semitic. The murderous terror went on with unabated force.

In the year 1921 Goemboes was called upon twice to play a dominant rôle in the shaping of Hungary's destinies. The deposed Emperor-King Karl of Hapsburg was persuaded by some of his legitimist friends to undertake a *coup* in Hungary. At the end of March, 1921, one day before Easter Sunday, Karl turned up, conducted by Count Thomas Erdoedy, at the house of the Bishop of Szombathely, Count John Mikes. The plot, which was cleverly arranged, failed because of the impetuous nature of Karl.

For the same Easter Sunday was fixed

the wedding of Baron Paul von Pronay, one of the chief White terrorists, with Countess Aimée Palfy-Daun. Countess Palfy was the lady-in-waiting of Empress Zita of Hapsburg, and she allegedly was sent to Hungary to disarm through her charm Pronay, who was one of the chief enemies of a Hapsburg restoration. This function she fulfilled excellently, and the wedding was fixed for that Easter Sunday. The best men were to be Julius Goemboes and Ivan Hejjas, another terrorist. The commander of the troops in Szombathely, Baron Anton Lehar (the brother of the famous composer of "Merry Widow" fame), was an ardent legitimist. It was planned to arrest Pronay, Goemboes and Hejjas in Szombathely, and thus eliminate the three strongest opponents of restoration. The plan, however, failed because Karl arrived twenty-four hours earlier than he was expected, and Goemboes and Pronay, on hearing of the rumor of his arrival, immediately left for Budapest. Then Karl again wasted time. Instead of going immediately to Budapest, he spent the night with the Bishop. In the meantime, Goemboes could reach Budapest.

Karl's appearance in the Budapest Royal palace surprised the Regent beyond measure. He received Karl with the homage due to his former Emperor, and did not exactly know what to say to him. But in the meantime Goemboes was informed and appeared without hesitation in the palace. He told the Emperor politely but firmly that it was desirable that he (Karl) should leave the country by eight o'clock that night. This was in the early afternoon hours. The Emperor left Budapest.

Karl, however, was incurable. A few months later, in October of the same year, he once more returned to Hungary. This time he marched on Budapest with troops

commanded by Colonel Ostenburg, and the small army succeeded in reaching Toeroek-Balint, only ten miles distant from Budapest. Everybody lost his head in Budapest, except Julius Goemboes. He asked Horthy to appoint him high commissar to the Commander of the Hungarian army, General Nagy. In the first line he armed the students of the university and of the technical high-school who were all "Nazis" and he sent them to the front. The army was divided in loyalty. But Goemboes visited the Budapest barracks, then hurried to the garrisons in Kecskemet, Debreczen, etc., and persuaded the troops to rally on his side. He requisitioned the rolling stock of the state railroads and transported the troops with great rapidity to Budapest. At Budaoers the battle was fought between the troops of Karl and Goemboes, and Karl, to avoid further bloodshed, yielded.

The Emperor was first imprisoned at the castle of Tata, then at the abbey of Tihany. He then was taken on board the British Danube monitor *Glowworm* and transported with Zita to Galatz where the imperial couple were transferred to another battleship which took them into exile to Madeira.

V

Hitherto a deep distrust had existed between the more conservative Premier Count Bethlen and the radical young Captain Goemboes. The fight against the restoration brought the two men nearer to each other. The second election in Hungary under Bethlen was conducted by Goemboes, and the so-called United Government Party was formed through the co-operation of the followers of Bethlen, Goemboes, Count Klebersberg and the peasant leader S. Szabo de Nagyatad. In

connection with these elections Bethlen tried to make Goemboes under-secretary in the Ministry of Interior, but the monarchist opposition had hysterics at the mere mention of this proposal, and in order not to make his Premier's job more difficult, Goemboes refused to accept this post. As vice-president of the new party Goemboes once more did excellent organizational work in developing and uniting the forces behind the Premier.

A year later, however, there were difficulties between the conservative Premier and the impulsive and radical Goemboes. In August, 1923, he resigned his post as vice-president of the new party and seceded with six of his own followers. With these secessionists and with another half a dozen other independent radical right deputies he founded the Hungarian National Independence Party, which was always referred to, for brevity's sake, as either the Fascist party or the racial defenders' party. One of the chief points in the program of Goemboes was racial defence, just as it is in Hitler's program. In fact, ever since 1921 there had been a very close connection between the National Socialists in the Munich headquarters and Captain Goemboes. Important emissaries from Germany constantly visited Goemboes in Budapest, and finally an alliance was concluded between Hitler and Goemboes, which ended only after the unsuccessful coup at the brewery in Munich in November, 1923.

As leader of the Fascist racial-defenders' party Goemboes demanded the maintenance of the *numerus clausus*, a law which was introduced during the White régime to keep out Jews or people of Jewish origin from the Hungarian schools, and which law brought a protest from the League of Nations. He followed an intransigent policy of right radicalism,

demanding a thorough land-reform, and stated that Hungary's king must be elected by the people and not to be forced upon the nation through hereditary rights. His candidate for the throne was the Archduke Albert, the only son of the wealthy Archduke Friedrich. Albert's mother, the late Princess Isabella, was a very ambitious woman and financed heavily the propaganda which was initiated by Goemboes in favor of the young Prince. In all extreme right social, cultural and other organizations Goemboes played a leading rôle.

Through his radicalism he got more and more estranged from Count Bethlen, the Premier. And as Goemboes remained the man behind Regent Horthy, the conflict between him and Bethlen appeared on the surface as one existing between the Regent and his Premier. At the elections of 1926 he was elected deputy of the Abad-Szalok constituency on a Fascist-racial-defender platform. But again only six of his friends received mandates on this program.

His friendship with German reactionaries was still strong. The murderers of Rathenau found refuge at the villa of Goemboes at Nagy-Teteny, and the discovery of this fact created a minor scandal. But with the passing years Goemboes's radicalism began to subside. In 1928 the larger part of his party, that is four deputies, rejoined Bethlen's party under Goemboes's leadership. "I wanted to avoid the oppositional attitude at any price, this cancer of our public life," he said to a friend, explaining the reasons for his decision to reënter the party of Bethlen.

In September, 1928, Bethlen appointed him under-secretary in the War Office, entrusting him with the important task of the reorganization of the army. Still a Fascist in his heart, Goemboes visited Italy

in the summer of 1929, where he was received by Mussolini. In October, 1929, he was appointed War Minister in the Bethlen Cabinet. From conversations in those days one could assume that if still a Fascist, he believed by now in the important function of the traditional Hungarian parliamentary life. At Christmas, 1929, Regent Horthy promoted the staff captain to a General of the army. Which is what happened three years later to his old friend General Goering.

When in the summer of 1931 Bethlen resigned, Goemboes retained his old post in the new Count Julius Karolyi cabinet. The friendship between Bethlen, the admirer of English parliamentary institutions, and the former Fascist Goemboes had become closer. When Bethlen, after his resignation, had to leave the Premier's palace, he went to stay with his friend Goemboes. And when in September, 1932,

Karolyi resigned, Bethlen recommended Goemboes as the most suitable Premier. On October 4, 1932, General Julius Goemboes de Jákfa became Prime Minister of Hungary.

The rest is known. In a recent speech in Parliament he insisted that only such countries which were not governed by oppression could prosper and could maintain a calm atmosphere. For this reason he decided to introduce the secret ballot to the people, instead of open voting.

This is the career of the present Premier of Hungary. It is important and interesting, for it shows the natural development through which any intelligent dictator must go. Goemboes was the first Fascist and National Socialist in Europe, long before these terms were in common use. Now he has found his way back to parliamentarism and democracy. Will the other dictators follow the same path?

THE AIR OVERHEAD

BY CHARLES FITZHUGH TALMAN

IT is an interesting paradox that most of the so-called "upper-air research" that has occupied so large a share of attention on the part of meteorologists since the early years of the present century related, until a few years ago, to a comparatively low part of the atmosphere. Such research was for a long time confined mainly to observations made with the aid of kites and unmanned balloons. No kite has ever risen higher than about six miles and no balloon much higher than twenty miles.

The total height of the atmosphere is unknown, but presumably amounts to some thousands of miles. Pending the perfection of the long-promised scientific rockets of Professor Goddard and others, the uppermost regions are inaccessible to any known method of observation. At present, however, meteorology finds a fascinating field of investigation in a portion of the atmosphere extending from about a score of miles up to a few hundred miles above the earth. The air in this lofty region is everywhere of extreme tenuity. Above a height of perhaps 250 miles it is less dense than the residual gas in the best "vacuum" attainable in technical laboratories, yet enough substance remains to produce a number of observable phenomena, some of which appear to be of considerable practical importance to mankind.

Since 1902 it has been known that the atmosphere below the greatest height reached by balloons is divided into two

distinct layers. In the lower, called the troposphere, a thermometer attached to a rising balloon registers a more or less steady fall in temperature during its ascent. In the upper, called the stratosphere, the temperature remains nearly the same at all levels as far up as such observations extend. The base of the stratosphere is not parallel with the earth's surface, but slopes down from a height of about eleven miles over the equator to a height of about three miles over the poles. The temperature of this layer averages about 63° below zero Fahrenheit, but is much lower than the average over equatorial latitudes and higher over polar latitudes. Temperatures lower than 130° below zero have been registered above places in the tropics.

Apart from the difference in temperature characteristics just mentioned, the troposphere differs from the stratosphere in being the seat of active vertical air movements, which lead to cloudiness, rainfall and the various vicissitudes of weather. In the stratosphere there is little vertical movement of air, though there are strong horizontal winds, and there is so little moisture that clouds are scarce, though not entirely lacking.

One of the effects of the winds in the lower atmosphere is to keep the atmospheric gases thoroughly mixed, so that their proportions remain substantially uniform all over the world, except with respect to the percentage of water vapor, which varies conspicuously as a result of

evaporation and condensation. Ignoring this constituent, the lower air consists of about 78% nitrogen, 21% oxygen and 1% argon, besides containing a little carbon dioxide and traces of several other gases.

As recently as ten years ago the composition of the air above the lower levels of the stratosphere was supposed to vary progressively with altitude. The higher atmosphere was believed to be so tranquil that its gases tended to a state of diffusive equilibrium. Thus the light gases, hydrogen and helium, which form only minute fractions of the lower air, were thought to be relatively abundant at high levels, and it seemed probable that above a height of seventy or eighty miles the atmosphere might consist entirely of one of these substances. Hydrogen is the lighter of the two, but it has a strong chemical affinity for oxygen. Hence some authorities believed that the small amount present in the air might enter into combination with oxygen before it had diffused far upward, leaving the chemically inactive gas helium as the sole constituent of the atmosphere at great heights.

Evidence furnished by the aurora has negated these ideas. The light of the aurora is due to an electrical discharge through rarefied atmospheric gases, and the heights at which auroral displays occur are measured quite accurately by a process of comparing photographs taken simultaneously, against a background of stars, from two or more places several miles apart. Such measurements show that the aurora is seldom visible below a height of fifty miles, while in some cases its beams extend up to heights exceeding 600 miles.

The nature of the gases through which the auroral discharge occurs is investigated by means of the spectrograph, the same instrument that tells us what the glowing atmospheres of the sun and the stars are

made of. The auroral spectrum reveals the presence of nitrogen at all levels, and also of another gas, the identity of which remained enigmatical until 1925, when the famous "green line" by which it is registered in the spectrum was proved by the laboratory experiments of Professor McLennan and his associates, at the University of Toronto, to be due to oxygen. The oxygen thus disclosed differs from that in the air we breathe in being monatomic instead of diatomic, but the variety found in the lower air may also be present to some extent at high levels.

Thus it appears that the atmosphere hundreds of miles overhead, like that at sea level, is mainly a mixture of nitrogen and oxygen. Whether other gases occur there in small proportions is still uncertain.

II

Another recent change of ideas about conditions aloft relates to high-air temperatures. Until about a decade ago meteorologists had no reason to suppose that the temperatures at great heights in the stratosphere differed materially from those found at its base. In 1923, however, Lindemann and Dobson, in England, showed that the appearance of meteors at certain heights indicated a density of the atmosphere at such heights inconsistent with the vertical temperature distribution previously assumed. From the observed paths of these bodies, which are heated to luminosity partly by compressing the air, they calculated that somewhere between about thirty-four and thirty-seven miles above sea level the temperature of the atmosphere increases to about 80° above zero, and that some such temperature, equivalent to that of a summer day at the earth's surface, prevails up to an altitude of at least a hun-

dred miles. Later calculations from similar data indicate even higher temperatures.

This supposed warm layer at high levels is now often called the Lindemann-Dobson atmosphere, and the scientific consensus admits its existence, though there are conflicting figures as to its altitude and its temperatures. Much evidence concerning this layer has recently been acquired by ingenious experiments with sound waves. Any loud explosion is usually surrounded, at a certain distance, by a zone of silence, where the noise is inaudible. Beyond this lies a zone of abnormal audibility, where the noise is again heard, but after a lapse of time indicating that the sound waves, instead of coming along the surface of the earth, have traveled up to a certain height in the atmosphere and have then been deflected downward. As the speed of sound increases with an increase of temperature, this would happen if the sound waves encountered a warm layer aloft, as they would thus undergo refraction.

The earlier observations of this phenomenon were in connection with accidental explosions and with the heavy cannonading of wartime, but it is now a common scientific procedure to set off explosives at prearranged hours and time the arrival of the sound waves, received by ear or by autographic instruments, at distant points. From the data thus obtained many calculations have been made of the paths followed by the sound waves in the high atmosphere and the temperatures there encountered. The results are in general agreement with those obtained from observations of meteors, except that they indicate a considerably lower level for the base of the warm layer.

An explanation of this warm stratum overhead is found in the fact that the atmosphere contains a third variety of oxygen in addition to the two already men-

tioned. Triatomic oxygen, alias ozone, is now known to be almost non-existent in the air near the earth's surface, where our grandfathers supposed it to be fairly abundant, but the spectroscopic analysis of sunlight shows it to be present in much larger proportion at some higher level. It is evidently formed there from ordinary (diatomic) oxygen through the breaking up of the oxygen molecules into atoms, which subsequently recombine to form ozone. Either ultraviolet solar radiation or electrical discharges, or both, may be responsible for this process.

Ozone is a powerful absorber of the short-wave ultraviolet rays from the sun, and the energy thus absorbed is given off as heat. It is believed that an ozone layer, or region of ozone concentration, in the stratosphere accounts for the warming of the air to a considerable distance above the level where this layer exists. The height of this layer is measured by certain spectroscopic methods, and was formerly said to be between twenty-five and thirty miles, but the latest measurements indicate that the height of maximum concentration in middle latitudes is only about fourteen miles.

The spectroscope also provides a means of measuring the total amount of ozone present over any locality. More is found in high latitudes than in the equatorial regions, and the amount in any region undergoes variations that appear to be closely connected with weather events in the troposphere. Since, moreover, the ozone in the atmosphere protects animal life from a harmful excess of ultraviolet sunshine, this substance is quite as interesting to mankind today as it was when, in the middle of the last century, it acquired an undeserved reputation as a great natural scavenger.

Ultraviolet solar radiation is now thought to be the principal agency, though it may

not be the only one, by which the atmosphere above certain levels is ionized and thus rendered electrically conducting, so that it provides a sort of reflecting surface by which radio waves are carried around the curvature of the earth. The probable existence of an upper conducting layer, indicated by certain phenomena of the earth's magnetism as far back as 1878, was pointed out by Kennelly in America and Heaviside in England in 1902 as an explanation of long-distance wireless transmission.

Until a few years ago this conducting region was regarded as a single layer, about fifty miles above the earth at night and thirty miles in the daytime, and this was called the Kennelly-Heaviside layer. Recent investigations have shown that it is a much more extensive region, comprising several layers of high ionization, and it is known in its entirety as the ionosphere. The lowest portion turns back radio signals of the longest wave-lengths. Short-wave signals penetrate to greater heights.

Thus what was once nicknamed the "radio roof" of the atmosphere turns out to be a vast upper story, the vertical extent of which is still unknown. Radio engineers are making an intensive survey of the height and strength of its electrically charged layers by methods of sounding somewhat analogous to those that have lately revolutionized bathymetric surveying at sea. Radio signals of various wave-lengths are sent vertically upward to these layers. If the latter are sufficiently strong, the signals are reflected back to the earth and are picked up by the sending station. The time necessary for the signals to make the round trip, about $\frac{1}{500,000}$ of a second, allows the measurement of the height of the layer, and the strength of the reflected signal indicates the strength of the layer's electrical charge.

Variations noted by this process in the electrification of the ionosphere layers are found to be associated with the disturbances of the earth's magnetic field known as magnetic storms, which, in turn, are connected in ways not yet fully understood—though the connection has long been recognized—with strong earth currents, brilliant auroral displays, and, as the common cause of these terrestrial events, outbursts of solar activity. Thus the exploration of the ionosphere is throwing new light upon a wide range of geophysical and astrophysical problems.

III

One more novel development in the study of the high atmosphere is the measurement by accurate photographic methods of the altitudes and movements of clouds, of two distinct varieties, that occasionally float far above the familiar feathery ice clouds, called cirris, which are the highest clouds of the troposphere. Those of one variety, known, on account of their iridescence, as nacreous, or mother-of-pearl, clouds, are found from measurements made in northern Europe to be from twelve to eighteen miles above the earth, and are therefore many miles above the bottom of the stratosphere. Those of the other kind, called noctilucent clouds, are seen shining with a bluish white lustre through summer nights in middle and high latitudes. They are about fifty miles high, and thus reflect the light of the sun even late at night at that season.

The optical characteristics of nacreous clouds indicate that they are composed of liquid water droplets, which, as we know from observations in the polar regions and elsewhere, can occur in the atmosphere at temperatures far below the freezing point. Noctilucent clouds have appeared mostly

after great explosive volcanic eruptions—notably after that of Krakatoa in 1883—and have been thought by some authorities to consist of fine volcanic dust. A more recent view is that they consist of ice crystals, created by the condensation of water vapor discharged in such eruptions.

If the clouds of these two varieties are composed, respectively, of water and ice, their existence implies ascending movements of air at the high levels where they are seen, and the few measurements of their horizontal movements thus far obtained imply winds of hurricane speed at the same levels. One observation of na-

creous clouds showed them to be drifting at the rate of 170 miles an hour. Here, then, we have a new method of investigating the circulation of the high atmosphere.

Man explores the depths of celestial space, the interior of the earth and the bottom of the ocean without making personal visits to these regions. Similarly, he is making rapid progress in the exploration of the air far overhead without quitting the ordinary levels of human habitation. Personal trips a dozen miles upward in "stratosphere balloons," though doubtless justifiable on scientific grounds, form but a minor item of the programme.

THE STATE OF THE UNION

NEW YORK BECOMES A FREE PORT

BY ALBERT PARRY

Staten Island, New York

THIS island slumbers peacefully, dotted with dilapidated manors and eternalized in polite American novels of the eighteen-eighties and eighteen-nineties as the summer haven of swanky New Yorkers. At one time it gave refuge to Garibaldi, at another to Maxim Gorky when he and his wife were thrown out of every New York hotel for not being properly wedded. Now the slumber of Staten Island is about to be disturbed once more; foreign glories are to be revived, but this time on a mammoth scale and in a vein none too polite or idealistic.

All this because in June of this year, Congress passed, and the President signed, a bill for the establishment of foreign-trade zones, alias free ports. The new law permits an American port to create a fenced-in vestibule of trade, where goods from all nooks of the world will be unloaded, exhibited, sold, graded, cleaned, blended, and reshipped to all corners of the world without interference from the United States Customs. Even now, before the free ports are built, many foreign goods are sent here, not for American sale and consumption, but for reëxport to other countries. In the winter, Canadian grains go to the United Kingdom by way of New York because some of the Canadian ports are frozen. In their season, cocoa beans from the Gold Coast come to New York and other American ports to be

trans-shipped to other countries of the Western Hemisphere as well as to Japan. Chilean nitrate is received here for Canada and sometimes for Europe. At the present time, these and many other goods are received here with much red-tape of the so-called draw-back system; that is, the importers deposit the goods in bonded warehouses, transport them in bonded cars and trucks, paying the American government the regular duty and then drawing most of it back by virtue of complicated affidavits showing that the goods were not kept in this country. The free-port law dispenses with the red-tape of customs for trans-shipments and thus would draw, it is expected, a tremendous amount of new business, especially from South America and the Orient. A radical departure from the age-old traditions of American trade, it promises a new era of boom for our importers, exporters, and ship-owners, until lately picturing themselves as resigned candidates for the poorhouse.

But not all is rosy in this picture. Though the letter of the free-port law confers the blessing upon any existing American port of entry that wants it, the prevailing suspicion points to New York as to the main, if not the only, beneficiary. It is New York, sadly whisper the friends and enemies of the new measure, that is going to be the high and mighty replica of all the Hamburgs and Copenhagens of foreign parts.

The whisper is well founded. We note that the bill was introduced in the lower house by Representative Celler and in the upper by Senator Copeland, New Yorkers

both. We note further that most of the sponsors by wire, letter, and personal appearance in congressional committee hearings were New Yorkers, many of them Staten Islanders. True, there were approving voices also from such points as Boston and San Francisco, Norfolk and Los Angeles, Philadelphia and New Orleans, but in their cheers there was a distinct undertone of helpless envy, of melancholy realization that actually they were exerting themselves to no other end except the greater glory of New York.

The fact is that most American municipalities are broke and can't go into any expense of building piers and warehouses for free ports. New York is also broke, but twelve years ago she was not. In those flush days, she spent more than \$30,000,000 building the famous White Elephant of Staten Island—the twelve magnificent piers, now partly or occasionally used. This, the legend is, will be the future Hamburg of America. This is where Mayor LaGuardia and the gentlemen of Port Authority are going to establish the first free-port-foreign-trade zone on this continent. There will be nineteen piers in the zone, for the city piers are flanked by four private piers on one side and three private piers on the other, the seven backed up by more than a million square feet of warehouses. The Celler-Copeland bill was signed in the nick of time. The city has not actually been losing on the White Elephant, for the splendid piers brought, in desultory dribblings, some \$100,000 a year of lease money, and the annual maintenance has been only \$60,000. But there is the matter of depreciation; it is a heavy matter after the first dozen years of a building's life. Now, with a comparatively small additional expenditure for more warehouses and a stockade around the free-zone, the burden will be-

come a great boon, and depreciation of the Staten Island piers will be a laughable minor item, veritable chicken feed, in the imminent turnovers of billions of dollars.

Another reason why New York will outshine all other American ports as the future Singapore is the fact that she is the banking center of America, and the banks here, now that Roosevelt has apparently readjusted our money to a new and somewhat stable gold content, are eager to employ their reserves in financing the trans-shipment goods.

The bill has a long history behind it. The agitation for it has been going on spasmodically in the commercial circles and Congress ever since 1915. But the gentlemen of Congress were afraid of such words as "free port." Vaguely, it smacked of the ancient days when Mayor Fernando Wood threatened President Lincoln with taking New York away from the Union by proclaiming her a Free City. To the backwoodsmen in Washington a free-port bill meant further aggrandizement of New York City to a point where she would grow into an economic and politic body separate from the rest of the State and the Union. The scornful allegory, "New York is not America," loomed as a dangerous possibility. Also, "free port" sounded too much like "free trade." While the tariff-worshiping Republicans ruled this country, all the proposals for free ports died in their very infancy.

The Celler-Copeland measure won largely because we have had lately the lowest depression and the highest tariff in years. New York and all other American ports lost heavily in foreign trade and now they clamor for revenge. Thus we behold the unusual spectacle of that staunch Republican, Hamilton Fish, Jr., walking into the Ways and Means Committee hearing room, and not only failing to protest

against the sinful proposal, but humbly (yes, this is the word he actually used!) asking that his home-town of Beacon, New York, be also proclaimed a free port for foreign trade, and while the government is at it, wouldn't it also declare Poughkeepsie another such paradise? Both, explained Mr. Fish, are on the river and would appreciate an opportunity to become a couple of Hongkongs.

The opposition, such as there was, to the innovation and to New York's pushing rôle in it, came in disorganized spells and was presented with appalling ineptitude. Not that the opposition lacked weapons if only it had looked for them or wielded them properly. To begin with, there is a Constitutional thou-shalt-not: "No preference shall be given by any regulation of commerce or revenue to the ports of any State over those of another." The free-port law certainly gives preference to the coast States over the inland States, also to New York with her ready-made foreign-trade vestibule over, let us say, Boston, which lacks piers of such magnitude or cash to build them.

The inland voices, except those of Beacon and Poughkeepsie, were relatively still during the struggle. There was only an occasional grumble to the effect that manufacturing in free-port zones would be so profitable that it would entice certain industries from the hinterland away to the coast. During the fight, this grumble was drowned by assurances that the products of such free-zone manufactures would not be allowed out of the stockade duty-free, to undersell in the domestic markets the goods of American manufacturers producing outside the free-trade zones. But how about the free-for-all of American manufacturers in the foreign markets? Manufacturers operating in the privileged fenced-in zone of, let us say, Philadelphia,

would certainly undersell, in such markets, the manufacturers of such inland points as South Bend, Indiana.

The anti-New York note of competing ports was quite audible during the struggle. Congressman Welch of California was the frankest of the opponents. An ardent supporter of the free-port movement, he yet spoke up against the "folly of permitting this one port [New York] to proceed with the establishing of a foreign-trade zone and further divert trade from and impoverish other ports of the country." The ports, he insisted, are a God-given heritage of the American people, and as such must be allotted an equal grab in the latest pork-barrel. Passing this law is not enough; no survival of the fittest in the scramble should be allowed. He was against government going into business, he revealed, but in this case the Federal government should take complete control by financing all the ports that want to establish themselves as America's Danzigs. But his voice was pretty much solitary, and in vain.

The Maritime Association of the Port of New York was the only powerful body that worked against the innovation as such. On the face of it, this was a curious phenomenon, for the Association was composed of shipping and warehousing interests who surely stood to profit from an increased flow of trade into New York. No, insisted the Association, a free port would be a gigantic failure mainly because the American longshoreman was so exorbitant in his demands; he would surely wreck any desire of foreign shippers to give new business to American ports free of customs. Also, a free port was not needed because the system of bonded warehouses and duty-drawbacks worked smoothly enough.

It was finally brought out that the ware-

housing interests in the Maritime Association and the New York State Chamber of Commerce (which also, though weakly, protested against free ports) were now doing much of the foreign-trade storing and packing and would lose considerably to new warehouses in the freshly created free-port zones. Moreover, it was charged that some of the members of the Association were foreign shipping lines afraid that with the creation of American free ports goods to and from such ports would be carried mostly in American bottoms—a valid fear, at that. At the present time, only 35% of New York's trade is carried in American ships, but with the center of the world's trans-shipment trade shifting from Hamburg to New York, and with New York supplanting London as the world's middleman, the foreign lines would lose their grip not only in New York but in foreign points as well.

So confused or ill-used were the anti-free-port arguments, so transparent were some of their Hamburg and London origins, so energetic and clever was the push of LaGuardia's emissaries, that the bill won, and New York now stands ready for her novel and thrilling fate. New York now expects to become the center of the world's colonial trade in rubber, coffee, cocoa, sugar, mahogany, and other exotic wares.

She will recapture for the United States the golden strands of Latin American trade lately slipping into the hands of British, German and Japanese competitors. She will dominate the international trade lanes to Canada. She will resurrect the American merchant marine.

Yet, as in the case of every other panacea, the hopes inspired by the free-port spectre may prove to have been a bit too sanguine. For one thing, a free port is not the only weapon in the trade wars of

the nations. It is, on the whole, a civilized weapon of the milder-competition era, and as such is suspect. The free port of Copenhagen prospered best in the eightennineties and nineteen-hundreds; Hamburg flourished before the World War and for a short time in the nineteen-twenties. But our own nineteen-thirties are the harsh years of price-cutting and tariff-walls, embargoes and import quotas. To cite a few possibilities: England now serves as the gathering and disbursing point for Argentinian and Australian wool; suppose she passes a law taxing wool if it comes to her shores from Buenos Aires in an American ship through the free port of New York with a higher duty than if it comes in a British ship directly to a British port? Suppose the German firms transfer their coffee purchases from Brazil to Salvador in revenge for Rio's trans-shipment trade going to New York instead of Hamburg or Danzig?

The honeymoon of New York as the world's cross-roads may be neither smooth nor lasting. None the less, no matter how brief, it bids well to be highly instructive as well as exciting.



FEUDALISM AND SENATOR CUTTING

BY JAN SPIESS

Santa Fé, New Mexico

A MAN with a broad-brimmed hat walks through the streets of a small mountain village in New Mexico. The men loitering in groups are respectful but not servile. They cry, "Coma la va, patrone." He is the *don* whose land they till, whose herd they guard, whose voice they listen to when it is time to vote. And this is not a feudal village on the Rhine, or in Plan-

tagnet England, or in ancient France, but in New Mexico.

One hundred and twenty-two years of Spanish rule colored the tradition of New Mexico so deeply that it has remained, behind the walls of the Rockies, a State *in*, but not *of*, the United States. The sun shines in turquoise skies over clusters of adobe houses, over rolling prairies and sand-stone hills, over the deep blue of mountains where wisps of snow lie in deep clefts. Fences outline the huge tracts of land where cattle and sheep graze and square fields of green checkerboard the brown hills. In the villages brown-eyed children chatter like magpies in their native tongue, women with black shawls over their heads walk to the village store, and men, after work, meet in groups to discuss the subject dearest to the heart of every Mexican, politics.

Although the great land grants have in many instances been broken up throughout New Mexico, the ones that remain retain their feudal characteristics. Clustered upon them the tenants, often involved in intricate relationship, as in the small town of Cundiyo where there is only the family name of Vigil, see very little actual money. The tenants are dependent upon the *don* whose land they farm; from him they receive their rations of chili and beans, from his hillsides they hew wood and retain a part for their winter fire-wood, and to him they look for guidance in times of trouble. There is a rigid code with an exchange of value in the old feudal spirit, but it is inconceivable to the city-bred Nordic, since, after all, it is based on the intangible qualities of trust and faith. When the old *dons* are gone there will be no one to take their place; already the young men have learned from the *politicos* to turn the dependence of their tenants to their own account. Inevitably this will result in politi-

cal chaos, and one wonders if the future of New Mexican politics may not have an ugly aspect.

Undoubtedly, the feudal tradition was firmly rooted in modern New Mexico at the time the Spanish and Mexican land grants were legalized, shortly after New Mexico became a Territory of the United States. In 1891 the Court of Private Land Claims was established with its primary function to determine the validity of title as between the United States and the grantee claiming under a foreign nation. This court, unlike any other in the United States, had the largest territorial jurisdiction of any trial court ever established by man.

The area involved was larger than the Republic of France or the German Empire, and the court prevented ugly warfare between the young American going West and the Mexican whose land he appropriated without as much as saying, "Thank you." The court adjourned in 1904, but by that time it had affirmed forever the titles given by the Spanish crown and the Mexican Republic.

The Eastern press was flooded with stories of the robber land barons of New Mexico. The disappointed settler from back East who had thought it was the inalienable right of every American citizen to take up land wherever he found any not covered with habitations or cultivated fields, went on to California. He had reasoned that this was "his own his native land," and he wasn't going to be told by a fellow who didn't even speak English that he couldn't put up his little shack wherever his horse stopped and his wife liked the view. He had been outraged to the extent of threatening the lives of the rightful owners, but the Don Juans, the Don Josés and Don Ramons had proven their title to the uninhabited prairies, to the

little villages of adobe houses, and to thousands of acres of grazing land.

The Court of Private Land Claims had restored peace, and the Mexican land owner settled back with a sigh of relief to watch his peons herd his sheep and cattle, and irrigate his fields; when he walked in the little villages it was with the masterful stride of a feudal lord.

But time passed. The rich Mexican *don* lost his fortune, sold his land and his silver trimmed saddle and watched his son become absorbed in the politics of the Americanized capital. He went to political meetings where the speeches of the Americans were interpreted, and he learned that if fifty of his peons voted as he insisted, his prestige with the Americans was greatly enhanced.

That could be arranged by personal persuasion. That is today the understanding of politics which the Mexican in New Mexico brings to the polls. But the man who is today the chief of all the *dons* is not of Spanish descent, he is not the owner of a great grant of land, he was not one of those who heard in Santa Fé in 1910 the word that after sixty years of effort New Mexico would be admitted to the Union.

He came to New Mexico from New York in 1912, the son of a wealthy family, a graduate of Harvard, a shy, brilliant young man with an insatiable thirst for power. Bronson Cutting's first attempts to enter New Mexican politics caused the old guard Republicans who had controlled the State to smile behind their hands. His carefully cultivated Harvard accent antagonized them, his reserve seemed snobishness, his radical ideas were lightly dismissed.

Mr. Cutting is a man of few words. He listened and learned, and with a great fortune in his control, he acted. He bought

a newspaper, the Santa Fé *New Mexican*, imported an Eastern editor and an Irish reporter, and made it the voice of the Republican party, which then seemed as impregnable in New Mexico as it was in the nation. He waited but nothing happened.

Again and again he sought political preferment and again and again he was ignored. So he bided his time. While he waited he learned the approach he must make to the Mexican people, and word got about that a Mexican major domo could borrow from him a few dollars to tide him over until he sold his sheep or cattle or harvested his crops. Mr. Cutting became interested in the younger generation of Mexicans and helped them to advance to positions of power in the State. He sorted out the politicians who would be useful to him and those who would not, and he assiduously cultivated the former. As a wise politician, he began to hold less firmly to party lines so that there was a question often asked, "What is Bronson Cutting, a Republican or a Democrat?"

He shrugged his shoulders. He was placing his bet on the power of the individual in New Mexico. Then, although his health had not permitted him to go to war, he became the godfather of the American Legion in New Mexico, and went night after night to its meetings, became the *compadre* of the young Mexican ex-soldiers, and chose the men who were elected to office as his special friends. His opportunity came when, having carefully built up his machine, he was appointed to fill out the term of United States Senator A. A. Jones, who died in 1927, one year before his term was up. He was elected for a full term in 1928. He went to Washington to become a brilliant young liberal leader in the Senate; he re-

turned between terms to New Mexico to strengthen his position as a feudal *don*.

In one vacation from his Senatorial duties, in 1930, Mr. Cutting went to Russia and absorbed new principles, which he expounded to his political adherents, but he soon saw he was safest to be radical in Washington and to hold his power in New Mexico as the *don* who loans money in time of need, or gives a job to the young Mexican in preference to the young American. He went frequently to meetings of the Penitentes, the fanatical religious organization which after the flagellations and crucifixions during Lent settles down to vote in a body as it is told.

Mr. Cutting has somehow ignored the young Americans who are aspiring to power, he turns the force of C.W.A. and P.W.A. to the good of the native worker, he travels over dangerous roads to Mexican villages, to speak, through an interpreter in the town hall. In his newspaper he gives full columns to Mexican weddings, and unfailing mention of the visits to the capital of Mexican ranchers, and he gives a Harvard hand clasp to the least of the Mexican *politicos*.

He comes up for reëlection this month, but this time he will have to combat the bitter antagonism of the Anglo-New Mexican. The State has suffered from the drought, it has suffered from unemployment, but Mr. Cutting will have to face the accusation that it has suffered most of all from political chicanery.

During the last session of the legislature, which he controlled through the Governor, an inconceivable hodge-podge of useless and legally dubious laws was passed. Progressive measures of taxation which would have meant the reopening

of schools that had been closed in the mountain district, or prevented the early closing of schools in the towns, were killed. The worst or at least the most confused repeal law that has been framed in any State was put on the statute books.

His New Mexican American Legion fell into scandalous disrepute with the National American Legion. He swerved in his political affiliations and came out as the staunch supporter of a Democrat for Governor. He did this to fight and conquer a new opponent recently come into the State, with a fortune almost equal to his. The disappointed widow McCormick of Illinois Senatorial dead-wood had married a representative, Albert Simms, from New Mexico and was determined to try her luck in New Mexican politics.

The man who made the most brilliant onslaughts against the New Deal from the floor of the Senate, who has perhaps the greatest understanding of the modern trend in government, who could construct a new State pattern which would be an example to the coming generation of American statesmen, is depending for his power on retrograded feudalism. The forefathers of the State of New Mexico, old guard Republicans for the most part, had absorbed the feudal attitude through long association and knowledge of the Mexican people. They accepted it with its implications of responsibility and paternalism. Mr. Cutting has used it as a political approach and in his own self-interest.

He is so necessary to Washington that one hopes for his reëlection, but one wishes that his pride in the State that gives him his Senatorship would be greater. Times are moving too fast to play with ancient traditions.

THE LIBRARY

A FICTION WITHOUT WOMEN

BY CHARLES ANGOFF

AMERICAN fiction in the Seventeenth and Eighteenth Centuries, as all critics and historians of the times now agree, was a sorry affair. Even academic critics now admit that Charles Brockden Brown and Mrs. Susanna Haswell Rowson, formerly regarded as permanent glories of American letters, were mainly manufacturers of thrillers and fluff. In the Nineteenth Century there was a score of far more respectable writers of fiction; the two among them who had real size were Nathaniel Hawthorne and Herman Melville. The latter remains to this day, in my opinion, the one truly great novelist this country has produced. The last forty years or so have brought forth more able novelists than any preceding era in our literary history. Frank Norris, Stephen Crane, Dreiser, Willa Cather, Sherwood Anderson, Sinclair Lewis, John Dos Passos—all of them, by any critical standard, have merit, and some of them have considerable merit, and they all came on the literary scene in our own lifetime. They represent the first extensive flowering of our literary genius.

All this certainly represents development, but there is one aspect of our imaginative prose writing that should give us pause for thought. I refer to the complete lack of memorable woman characters in our fiction. The more I think of it the more am I arrested by this fact. There have been, of course, many woman characters in our fiction. They have not, however,

lived as women, but rather as mouthpieces for sociological ideas, as background for description of the times or of a locality, or as means for the development of men characters. In not one instance that I can recall at the moment do they stand out in their own right in the same way in which, say, Becky Sharp does in Thackeray's "Vanity Fair."

Hester Prynne, in "The Scarlet Letter," has little in her of the eternal woman. What we remember chiefly in that novel is not Hester Prynne as a woman, but rather Hester Prynne as a woman in Puritan New England. I do not mean to belittle Hawthorne's skill in putting her on paper. I only want to place her accurately in the total effect of the novel and in the substance of its lasting memory. As for Melville's stupendous "Moby Dick," there is not a single woman in the whole novel, barring, of course, the vague and hurried description of Captain Ahab's wife at the very beginning.

In all of Frank Norris's novels, there is not one woman who can by the most exuberant stretch of the imagination be called memorable. Norris was a historical and sociological novelist; he knew things and places and the relations of men and women to them, but he did not know men and women in their mutual relations and in their relations to the universe. Very nearly the same was true of Stephen Crane. "The Red Badge of Courage" deals completely with men and war. "Maggie" is not the study of a girl of the streets; it is a study of the streets of New York at a particular time, and Maggie is employed,

so to speak, solely as the microscope for that study. Henry James's novels are not so feeble as some critics of today like to think, but it is plain that James's understanding of woman never went beyond a holy bewilderment. And the same, though to a considerably lesser degree, was the case with William Dean Howells.

Dreiser, on the whole, has not fared any better with his woman characters. In "Sister Carrie" it is Hurstwood who haunts the memory, and not Sister Carrie. In "Jennie Gerhardt" it is a moral and social situation that holds the attention rather than the delineation of men and women. Dreiser, needless to say, can portray character, but in these two books his women never rise beyond excellent craftsmanship: the stuff of feminine immortality is not in them. Dreiser has always been far more successful with his men. Compare "Twelve Men" with "A Gallery of Women." The first book is respectable literature; the second is Sunday supplement taffy. Sinclair Lewis is notorious for his lack of understanding of women. Leora Arrowsmith has aroused the admiration of many Lewis fans, but she is lacking in the universality of, say, Miriam in "Sons and Lovers." She is, perhaps, accurately portrayed, but certainly not grandly. Lewis is far more successful with Fran Dodsworth, but he does not reach the same heights of insight with her that, say, Maugham reached with Mildred in "Of Human Bondage." Fran sighs, perfumes the top of her hand, and commits petty adulteries, but the inner thunderations of delirious promiscuity are not in her. The portrayal of her is good journalism, but not enduring literature. I leave out of consideration "Ann Vickers" and "Work of Art," because they are both very poor novels.

Sherwood Anderson has never put a woman on paper who even remotely re-

sembles the women that you and I know. He seems to think that all human beings are intellectual and emotional stutterers like himself, and that blubbing is art. These defects have enabled him to write magnificently about children and adolescents, as in "I Want to Know Why" and "I'm a Fool," but they have completely vitiated his attempts to describe women, as "Dark Laughter" abundantly showed. Cabell's method of writing novels—blindly gazing at where he thinks his navel is, and then describing what he sees through an Eighteenth Century ventriloquist—has resulted in a procession of books that barely make any sense today. They are fables about nothing and parables about nobody. Willa Cather rises far above the soapy romancer of Richmond, Virginia. Mrs. Forrester in "A Lost Lady" will be remembered, and so will Antonia.

Who the woman was in "This Side of Paradise" I don't remember, and neither do I remember any of the men or women in Mr. Fitzgerald's "The Great Gatsby" or "Tender is the Night." Catherine Barkley in Mr. Hemingway's "A Farewell to Arms" is not a woman at all, but a womanly mood. Lieutenant Henry has far more heft and smell to him.

Such, in rapid survey, is the record our novelists have made with their woman characters. It is not a remarkable record. To ask for Lysistratas or Lady Macbeths from American writers is, obviously, to ask for too much. But I don't think it is too much to ask for woman characters who approach, even remotely, the size of Anna Karenina, Emma Bovary, Nana, and Esther Waters. Our imaginative prose literature, as I have tried to show, is singularly lacking in the grand portrayal of women. Perhaps that is only another sign of our cultural immaturity. Perhaps, to leap into the field of general philosophical ideas, the

maturity and magnitude of a literature are to be judged by the number of unforgettable woman characters it has produced. This, of course, only states the problem in another way; it does not answer it.

Precisely what the answer is, if there is an answer, I am not ready to say, but several ideas come to mind. There is, first, the matter of the frontier psychology. Until less than fifty years ago America was a frontier country, geographically and industrially, and frontier countries are dominated by the masculine mentality. Now there is no more frontier, but the psychology of the frontier, in accordance with the law of cultural lag, has not yet been dropped from the national mind. Intellectually, we Americans are still living in a world where the actions and dreams of men, as in the struggles of the Western conquests, set the pace and direction of artistic effort. In a very important sense, Americans still look upon their women, not as companions in the *via dolorosa* of life, but as pillows, as shock-absorbers in time of trouble. In other words, they look upon their women as mothers, almost never as sweethearts in the Continental sense, and mother-adoration has never given birth to great writing about woman. The emotion that lends itself, in writing, almost solely to the simple day-time statement, "I love you," is necessarily a reticent one. Art does not come by the way of reticence, but by the way of exuberance, and the exuberance of the morning and afternoon is usually of small range.

Then there is the turmoil let loose by Sigmund Freud. In the European countries, it only confirmed scientifically what the writing people had for centuries known intuitively. The psychology of the peoples across the ocean thus remained practically untouched. But in the United States there was a complex development.

Freudianism collided with Puritanism, which is still of great influence in the land, and the result was a strange, ridiculous, and pathetic kind of woman-worship, instantly apparent to all intelligent visiting foreigners. For the first 300 years of our history woman was looked upon either as a useful household adjunct or as the image of the Virgin Mary. So strong was the hold of this psychology upon the land, buttressed as it was by the mentality of the frontier, that all Freudianism could do to it was to transform the basic Virgin Mary image into a horrible caricature of the Mona Lisa. The smile of the American Mona Lisa is not the smile of a woman who glories in her own victories and in the abiding victory of her sex over man; it is the smile, the repressed smile of contentment, on the face of Whistler's Mother. The other Mary, which is in all women, and which Leonardo forever put on canvas in his portrait of the Mona Lisa, is still unknown to us as a nation. The ineffectual and adolescent manner in which Dreiser, Anderson, and Hemingway have dealt with women who sin is proof of this fact in the literary field. Compare Zola's Nana with Sister Carrie or Catherine Barkley, and you will instantly see the difference between understanding woman and not understanding her.

These reasons, full as they are of questionable metaphysical terminology, perhaps help to explain why American novelists have so far failed to create one truly memorable woman character. As a people we still have much to learn about women, which older peoples have known for centuries. Women are the confessionals of the race, they are the supreme anarchists of nature, and whatever victory there is in life, that delirium between memory and hope, is, in the last analysis, theirs. While men break their hearts in the quest for

the unattainable, women achieve it by mere fiat, by placing the unattainable within themselves. They have little wisdom, in the sense in which Beethoven, Leonardo, and Keats had wisdom, but their impudence is so boundless that it must shock God Himself. To describe them in terms of the masculine virtues, as most American novelists have done, is to misunderstand them completely. European novelists have known better, and that is why they have produced Anna Kareninas, Emma Bovarys, Nanas, and Esther Waterses.

The Dangers of Sterilization

THE CASE FOR STERILIZATION, by Leon F. Whitney. \$2.50. 5½ x 8¾; 230 pp. New York: *The Frederick A. Stokes Company*.

GRANTING all the facts brought forward by the author explaining the methods of sterilization and their effect upon the organism, the core of the question is contained in his statement on page 194: "Sterilization, as its proponents see it, is more than a moral question. It is an economic, a social, a legal, a medical question and, in the eyes of many, a help towards a higher morality." Should we not rather ask, "Is society willing to carry the burden of the less fit and unfit for the sake of their fit brothers and sisters? If it is not our sole aim to increase human efficiency but rather to promote human happiness, are we so sure that all of those whom we declare to be unhappy are unhappy beings or are bound to make others unhappy?"

The answer to these questions will always determine our attitude towards eugenics and more especially towards sterilization. If it is true, for instance, that 10% of the children of schizophrenes are liable to become schizophrane, while only

1% of the general population is affected, shall we sacrifice the 90% normals for the 10% abnormals? I think we ought to agree to the sterilization of individuals whose children are all certain to be imbeciles or subject to other serious pathological conditions, but in all those cases in which a fair number of normals are born, our judgment will depend upon our attitude towards the welfare of the individual and of society. It is not a scientific question, but one of social ethics.

It is generally believed that by means of sterilization hereditary diseases or abnormalities can be quickly eradicated. This is not the case. Provided there existed a population without selective mating in which 1% of the component individuals were affected with a simple recessive degenerative condition, and provided all these individuals were sterilized, it would require four generations to reduce their number to .5%, seven generations to reduce them to .25%. If sterilization were started with a simple recessive disease, the incidence of which were .5%, it would take six generations; for one which occurs with a frequency of one per mil it would take thirteen generations to reduce the incidence to one half of the original value.

If we should succeed in sterilizing a small percentage of the relatives of those who show the disease, individuals who themselves are normal, but carriers, the rate of elimination might be somewhat accelerated, the more so, the more carriers are eliminated—and the more normal offspring is suppressed at the same time.

All this presupposes that no new spontaneous causes spring up, and in regard to this nothing is known. The available data all refer to families in which several members are affected by the same pathological condition, but we have no statistics

of families in which no relative with the same condition can be found. In the nature of the case these are difficult to find and to prove. It is claimed, for instance, that hemophilia occurs spontaneously with extreme rarity. Still we have early descriptions from European nobility, Jews and others, lines that can hardly be proved to be related.

The strongest argument against the claim that all such pathological conditions as have been discussed must be transmitted by an ancestor who carries their germ, is found in the fact that in populations without selective mating we should have to assume as the origin of present conditions a mixture of two populations of which the one contains only pathological, the other only normal individuals. If the incidence of the abnormality is now, for instance, 1%, the original intermarrying populations would have been 10% abnormals and 90% normals. If there were selective mating we should have to prove that the abnormals increase more rapidly than the normals, but in early times, to which these considerations necessarily refer, such differences in birth-rate cannot be shown.

Dr. Whitney is particularly concerned with the mentally subnormal. While there are many cases in which the organic basis for defective mentality cannot be doubted, there is an enormous group of borderline cases in which it is impossible to tell whether hereditary deficiency or an oppressive environment are to blame for the condition of the individual. I feel certain that our cities and schools produce individuals without number who may be classed as morons and who under better conditions would be able to hold their own, many perhaps in a life less strenuous than that of our large cities.

The uncertainty in regard to such cases

constitutes a most serious danger for a conservative application of sterilization such as the author recommends. He would have it entirely voluntary and subject to strict scientific control. Even now we have examples before our eyes of permissive, voluntary sterilization being made compulsory, how the decisions of judges are warped by political and social prejudices. Unless the procedure can be rigidly confined to cases in which scientific proof has been given that procreation will produce without fail individuals bodily or mentally crippled who will be a burden to themselves and to others, the dangers involved are of a most serious nature.

FRANZ BOAS

The Gangster as Statesman

HITLER OVER EUROPE, by Ernst Henri. \$1.90. 5 $\frac{3}{8}$ x 8 $\frac{3}{8}$; 302 pp. New York: *Simon & Schuster*.

CULTURE is entirely a state of mind, and civilizations are the predominant forms of its expression. And though history is moved by long-range laws, they are not natural, not literally "organic" laws. Society changes according to its own inner "dialectic," by which we mean the dynamics of an intricate pattern in the rise and fall of social outlooks, conditioned by the prevailing economy and determined by the struggles of social classes.

From this platitude, that society is a mentality, follows another platitude, often stated but seldom studied, which is that societies can and do go obviously mad, when the intrinsic contradictions of an economy are sharpened into senseless terror by a frenzied and depraved controlling group. All social life in such a psychopathically dominated culture becomes totally contradictory, unworkable, sinister and brutish; in short, insane. Its "statesmanship" collapses into sadistic gibberish, and

its politics perforce enters the underworld. The social order becomes a nationalized Third Degree, giving it a mere police cohesion. An insane economy must express itself through an openly criminal polity. Modern monopoly capitalism everywhere is more or less in this psychiatric danger. Its symptomatology is Fascism; which seems to be especially virulent in countries where capitalism did not rise intrinsically through bourgeois revolutions but was mechanically grafted upon feudal institutions. Nor is it an accident but necessarily characteristic of Fascism that all its outstanding leaders, without exception, are socially maladjusted, mentally deranged, and, mostly, sexually perverse.

The Fascist hall of fame is a gallery of rogues and psychopaths. Convicted murderers and felons, pimps, sexual monsters, diagnosed drug addicts, sadists and lunatics rub shoulders in the arsenal of its leadership, with the typical mutual disloyalty of the underworld. In spite of idiotic comments in our press, there is not a single "fanatic" in the leading outfit. Fanaticism—as displayed by Cromwell, Sam Adams, Robespierre or Lenin—is the ultra-sane devotion to a cause. The Matteotti murder, the Nazi assassinations of June 30 and July 25, were mere gangster killings; ordered, paid for and delivered. All major Fascist leaders, again without exception, are hirelings; though, to be sure, all relations between boss and gangster tend to merge, so that it is hard to tell where orders end and blackmail starts.

Undoubtedly the best study of the social depravity of Fascism can be made in Nazi Germany. The Third Reich is one macabre Third Degree. For this there are many reasons. For one thing, Germany suffered most from international defeat, from the inflation, and from abortive civil war. Second, in Germany the consummate

contradictions of capitalism, monopoly control and class consciousness, are most highly developed. Third, German Fascism, in its own crazy fashion, is more "totalitarian," that is, more pseudo-philosophical, than elsewhere, degrading every expression of national life. Finally, the personal abnormality of the Nazi leaders tends to emphasize more clearly the social degradation of the movement.

"Hitler Over Europe" by Ernst Henri is by all odds the most brilliant, the most profound and the most objective study we have of Nazi Germany. The genius of the book lies in the author's fearlessness in seeming "lurid" and "wild" in presenting the most lurid and wild adventure in modern history. To Henri, Hitlerism is patently social-criminal-insanity. Time and again he warns the reader that nowhere is Nazi policy spontaneously senseless or irrelevantly insane, that it must be studied as a whole in its inevitable catastrophic compulsiveness. But once we understand the nature of its social paranoia all its tactics assemble into a related strategy of criminal lunacy. Then cause, course and destiny of Hitlerism become clear.

Both lack of space and inclination keep me from giving an extended review of Henri's work. Everybody interested in our epoch *must* read it for himself. It is essentially a journalistic work, crammed full of facts, statistics, fascinating diagnostic pen sketches of the Nazi leaders, uncanny information of secret meetings, which history has already verified in gruesome particulars. All I shall do here is to epitomize the barest outlines.

Henri divides the volume into two major parts. First, he shows just what interests bought Hitler, for the sake of the mass support his unbalanced chauvinism was able to rouse in a chaotic period; just how he was lifted into power and just what

his function is. In the second part, Henri shows the inner strategy and direction of the Nazi foreign policy and its ominous danger to the world.

Hitler was subsidized for years by the Thyssen-Flick-Vöglger-Krupp group in the Ruhr, that is, by the heavy industries; partly to eliminate the Catholic-Jewish-Wolff Deutsche Bank outfit, mainly to crush German labor into a *literal legal feudal* relation of labor to industry, without the feudal safeguards of social security. When Nazism was in danger of losing out electorally, the Thyssen crowd made a quick deal with the Junkers, through the go-between Von Papen, and Hitler was raised to power by Hindenburg, who otherwise feared a pending *Reichstag* investigation of his private financial machinations. Soon after the Nazis fired the *Reichstag* building, thus establishing through terror the dictatorship of social sadism.

Then Hitler immediately began his program of terrorizing every expression of civilized life and of pressing labor into a "sub-human race." He "feudalized" legally labor's relation to the job. All workers' institutions were smashed and the owners of industry became the *legal* "leaders" of their workers. One million workers and sympathizers were interned under known sadists. Three million were taken off the relief rolls, and thereby declared non-existent. The other 4,000,000 registered unemployed had their relief cut down to nominal sums. Thus Hitler "solved" the problem of 8,000,000 unemployed. Those who worked had their wages cut down to "Tobacco Road" standards. When Roehm and other "left" leaders, who pseudo-represented the millions of lower middle and working class Germans who had flocked in desperation to the Nazi standards, wanted to slow down the tempo of industrial feudaliza-

tion, Thyssen and Krupp ordered Hitler to butcher his own "left," which he did that very night. Goebbels flew with Hitler for the gruesome task to Munich, for Goering had made preparations to kill the former in Berlin. Goering did not act till hours after Hitler had arrested Roehm, waiting the fortunes of the massacre.

The "secret foreign policy" of Nazidom is a fascinating revelation of the mentality of these drill sergeant Borgias. The Treaty of Versailles, of course, could not stop the imperialistic dynamics of German monopoly capitalism. It merely stunted its *military* expression for the time. Accordingly, Hitlerism artificially sublimated this imperialistic drive into racial chauvinism. Anti-Semitism is merely the lowest common denominator of this racial chauvinism in every country where the Nazis subsidize and control satellite parties. If you look at the map you will find that there is a frenzied branch of the Brown International in exactly those countries which comprised the old German Imperial dream of conquest, from Berlin to Bagdad. The murder of the anti-Nazi Fascist Dollfuss was ordered in Berlin. Nazism means to conquer by exporting infectious chauvinism.

This policy of spiritual international frenzy, of course, does not keep the Nazis from planning the military conquest of Europe. And Henri proves, with a wealth of statistics and in a detailed technical military exposition, just how the morphine-addict Goering is preparing, through a revised Schlieffen Plan, to attack France through an air armada in daily and nightly making. Henri's chapter on this future war is particularly melodramatic. But we must not forget that the nightmare is in actual preparation. Henri again merely describes what's happening.

Henri's answer to it all? War and revo-

lution. And history is already beginning to frame these answers as we can read in every edition of every newspaper. The only hope for the world is that the suicidal compulsion of Fascism is stronger than its homicidal drive. Unfortunately, the two are expressions of the same thing.

BENJAMIN STOLBERG

A Barrel of Poets

GILGAMESH: EPIC OF OLD BABYLONIA, A RENDERING INTO FREE RHYTHMS, by William Ellery Leonard. \$2. 5 $\frac{7}{8}$ x 9 $\frac{1}{4}$; 80 pp. New York: *The Viking Press*.

COLLECTED POEMS, by V. Sackville-West. \$2.50. 5 $\frac{1}{4}$ x 8 $\frac{3}{8}$; 325 pp. New York: *Doubleday Doran*.

THE CROWS, by David McCord. \$2.50. 6 $\frac{3}{8}$ x 9 $\frac{3}{8}$; 84 pp. New York: *Charles Scribner's Sons*.

COLLECTED POEMS, by William Carlos Williams. \$2. 5 $\frac{1}{4}$ x 7 $\frac{3}{4}$; 135 pp. New York: *The Objectivist Press*.

DISCRETE SERIES, by George Oppen. \$1. 5 $\frac{1}{4}$ x 7 $\frac{3}{4}$; 37 pp. New York: *The Objectivist Press*.

JERUSALEM THE GOLDEN, by Charles Reznikoff. \$1. 5 $\frac{1}{4}$ x 7 $\frac{3}{4}$; 45 pp. New York: *The Objectivist Press*.

WILLIAMS's "Collected Poems, 1921-1931" is not complete. I rather wish that he had selected more from the books written prior to 1921, for several of these have dropped out of circulation and remain, as always, difficult to buy. It would be good to have an omnibus of Williams, including selections from his prose and perhaps a chapter or two from "In the American Grain." He is of one piece and much of his writing interlocks prose with poetry. An able editor of such a volume would be doing all of us a genuine service, for Williams, like Ezra Pound and Marianne Moore is an American "original" as real, as permanent as a hook rug, an iron weather vane, a Currier & Ives print, a model-T Ford or a Bell telephone.

I am inclined to think that Williams's theories concerning poetry were conceptions after the event of writing it and that Wallace Stevens's witty introduction to the present volume is again part of a discussion after the fact, revealing, more than all else, a living organism, a literary personality, who, as Stevens remarks, resembles a strange combination of Lessing's Laocoon and what we remember of Diogenes. The point I wish to make is that Williams's poetry is far more alive than whatever theory that may be proposed to justify it, and that it is composed of a progression of fragments, each contributing its quota to the entire work and point of view. His poetry is the poetry of instant observation, the poetry that records emotion at the very moment before it dies. Its past is embodied in the objects that are brought to light and it contains few premonitions of a future. A truncated present tense is evident in everything that Williams writes, a fact which has led many of his earlier critics to underrate his value. To these I recommend a rereading of Burns and Catullus before arriving at a conclusion concerning his "Lines on Receiving the *Dial's* Award."

It is the present tense again that is called to mind in William Ellery Leonard's reconstruction of "Gilgamesh." Professor Leonard, quite like the good philologist he is, knows well the hardness of Anglo-Saxon words in English speech. He has collaborated, wisely, I think, with Dr. Ranke's translation of the original cuneiform into German. With the German text acting as guide, Professor Leonard set himself to the task of reviving a forgotten epic; and the "free rhythms" he has chosen owe their vitality to his accurate understanding of that power the Anglo-Saxon phrasing still exerts in Modern English. Gilgamesh, the ancient king and hero, is

therefore given some of that significance that we attach to Beowulf and the King James's version of the Bible. Professor Leonard is no novice at the art of reconverting a distant past into modern poetry. His translations of Empedocles, Lucretius, Beowulf and fragments of Sappho are excellent examples of their kind. Behind the scholarship and behind that particular quality of historical imagination that Professor Leonard possesses lies his own value as a poet. Those elements of human conflict and observation which lie at the roots of all literature are revealed in this translation of "Gilgamesh" and what might have seemed dead, or at the best, merely ancient, is revived in strong lines of action, in quick speech and gesture that have in it the resemblance to life and which we always recognize as contemporaneous.

V. Sackville-West's "Collected Poems" seems, by its contrast, a step backward upon a leveled plain. The poetry of V. Sackville-West would serve as a definition of what we mean when we use the word "tradition" in a derogatory sense. The poems are well molded, but their contours are flat and uninteresting. Miss Sackville-West has included over fifty poems which have never before been gathered into book form.

In this particular environment there seems to be definite though tenuous relationship between Miss Sackville-West's volume and David McCord's second book of poems, "The Crows." Let me hasten to add, however, that David McCord is a far better craftsman and that his gift for phrasing is no small accomplishment. One is impressed by his lack of pretension and his emotional honesty. His longer lyrics, "The Crows" and "A Bucket of Bees," are the most satisfying. These poems point in the direction of a return to childhood which is here revealed as another golden age. It is

a childhood where a New England landscape looms up behind it: here are the flowers, sun and rain. One is disconcerted only by the fact that the return does not stir deeper channels of emotion and that McCord seems to find genuine contentment in the mere expression of his mood.

From New England pastorals we turn again to the city and George Oppen's first book of poems, with its brief preface by Ezra Pound who feels impelled to remind us that the author is not William Carlos Williams. I wish to assure Ezra Pound that no such misunderstanding will occur, for Oppen's short poems seem to indicate the final extension of "imagism" from poetry into theory. It is the same difference, I think, that exists between life and death. Oppen's poems are conceived with the same discrimination of word and image that marked the "Works" of T. E. Hulme, but in the interval between Hulme and Oppen the theory (as pure theory) died a natural death. George Oppen's poems lack even that critical impact which gave Hulme's "Works" singular importance as a touchstone of the "imagist" movement.

Another post-imagist, Charles Reznikoff, is a better second to William Carlos Williams, and as I say this, I wish to make it clearly understood that Reznikoff is no mere imitator of Williams, or for that matter, anyone else in English poetry. His verse has in it the plaintive undertone of Yiddish American speech, of the same quality and tonal dimensions of the Negro spiritual. I would say that Reznikoff succeeds precisely where David McCord fails, and that is in the infusion of adult emotion with the personal memories of a past that can never be regained. Of all the poets in the present collection Reznikoff is the most scrupulous craftsman.

HORACE GREGORY

THE AMERICAN MERCURY AUTHORS

W. W. BAUER, M.D., is director of the Bureau of Health and Public Instruction of the American Medical Association. He is the author of *"Contagious Diseases: What They Are and How to Deal with Them."*

THOMAS BEER's latest book is *"Mrs. Egg and Other Barbarians."*

SALLY BENSON was born in St. Louis, and is now living in Connecticut. She contributes occasionally to the New Yorker.

FRANZ BOAS has been professor of anthropology at Columbia since 1899. He is the author of a dozen books and a large number of monographs.

ERNEST BOYD is author, among other things, of several books on Irish culture and literature, and of a biographical study of Guy de Maupassant. He is an editor of the American Spectator.

IVOR BROWN, essayist, novelist, journalist, has for some time been dramatic critic of the Manchester Guardian and of the London Observer. He is the author of *"I Commit to the Flames."*

HARRY W. CHASE, Ph.D., LL.D., is chancellor of New York University. He was formerly president of the Universities of Illinois and North Carolina. He is a member of the National Advisory Committee on Education and of the National Advisory Council on Radio in Education.

M. W. FODOR is living in Vienna. For the past fifteen years he has been foreign correspondent for the Manchester Guardian.

HORACE GREGORY's latest book of poems is *"No Retreat."* He has also written a critical biography of D. H. Lawrence.

MERIDEL LE SUEUR has worked on newspapers all over the country. At present she is living in Minnesota.

ALBERT PARRY is the author of *"Garrets and Pretenders"* and of a book on tattooing.

JAN SPIESS was born in Sante Fé, New Mexico, and educated in the Universities of California and Michigan. Her father, Charles A. Spiess, was district attorney for the counties of Sante Fé, Taos, Rio Arriba, and San Juan, and in 1910 was elected president of the State Constitutional Convention. Mrs. Spiess is the author of *"Guide-Book to Hawaii and the South Seas."*

JOHN L. SPIVAK was at one time foreign correspondent for the International News Service. He has been engaged in journalism for many years. He is the author of *"Georgia Nigger."*

BENJAMIN STOLBERG is a New York journalist.

CHARLES FITZHUGH TALMAN has been a staff meteorologist for the United States Weather Bureau since 1896. He is the author of *"Our Weather"* and *"The Realm of the Air."*

ANTHONY M. TURANO is a lawyer, and is now practising in Reno, Nevada.

JOSEPH N. ULMAN is associate judge of the Supreme Bench of Baltimore City. He is the author of *"A Judge Takes the Stand."* His primary interest at the present time is the further development of a probation system in Maryland, which he has already initiated in Baltimore.

LOUIS UNTERMAYER is the well-known poet and critic of poetry. His latest book, written in collaboration with Carter Davidson, is *"Poetry: Its Appreciation and Enjoyment."*

OSWALD GARRISON VILLARD is the owner and contributing editor of the Nation. He is the author of several books.

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Quoted paragraphs are from an address by Walter S. Gifford, president of the American Telephone and Telegraph Company, at Dallas, October 20, 1927.

BELL TELEPHONE SYSTEM



CHECK LIST OF NEW BOOKS

Continued from front advertising section,
page xiv

MISCELLANEOUS

AUTOBIOGRAPHY OF A SUICIDE.

Anonymous. The Golden Galleon Press
\$2.50 5 3/8 x 8; 223 pp. Lawrence, Long Island

Actually this is a tragic book, since the author did kill himself soon after completing his manuscript. But the crudeness of the writing, the use of stock phrases, the *True Story Magazine* atmosphere make the impression simply ludicrous. The account of the first act of adultery, that made of him a "beaten, grovelling creature," though it is meant to be dignified, is painfully funny, like a poor production of "Hamlet." Only toward the end of the volume, where the author describes his agonizing fear of leaving his rooms, does the story achieve any distinction. And this part too is marred by the repeated use of the phrase, the "Green Ghost of Self-Immolation." From the psychiatric point of view the details are too fragmentary to be of more than general value, although the amateur Freudian will revel in them. The anonymity is very thinly veiled and numerous statements are made which offer simple clues to the name of the author. However, there is no good reason to go to the trouble of investigating them. The book is a Psychology Guild selection.

THE WINE COOK-BOOK.

By Cora, Rose and Bob Brown.
Little, Brown & Company
\$2.50 5 3/8 x 8 1/2; 462 pp. Boston

There is a fine gusto in this somewhat massive tome. The authors show every sign of having consumed and enjoyed the noble victuals they describe. They divide their formulæ into four categories—those calling for dry white wines, those calling for red wines, those calling for sweet wines (it would have been better to say reinforced wines), and those calling for "other alcoholic ingredients." The cuisines of the earth have been searched for dishes, and all of the classics are described, from bouillabaisse to oysters in champagne. There are a few howlers. To terrapin *a la* Maryland, for example, the yolks of hard-boiled eggs are added—a proceeding comparable to adding cider to Moselle. But in the main the book is reliable. At the end is a guide for the home bartender.

xviii

A THESAURUS OF SLANG.

Compiled and arranged by Howard N. Rose.
The Macmillan Company
\$1.75 5 3/8 x 8 1/2; 120 pp. New York

Mr. Rose's purpose seems to be to offer ready aid to the writers of fiction for the pulp magazines. His slang terms are grouped in categories—aviation, oil-field, lumberjack, hobo, college, etc., and printed with their meanings first. Thus the fictioneer who aspires to do a newspaper story, and is unhappily unacquainted with the jargon of the city-room, may learn quickly that a brief news bulletin is a flash and the first night edition of a morning paper a bulldog. But how such odds and ends of lexicography are to give any plausibility to his tale does not appear. The book is full of innocent errors and the fact that the author is offering second-hand information is visible on every page.

ENJOYING PICTURES.

By Clive Bell. Harcourt, Brace & Company
\$3 7 1/8 x 9 7/8; 106 pp. New York

An introduction to art appreciation written so lucidly that even beginners will understand. Mr. Bell takes us through the National Gallery in London and the Vatican Collection, commenting on thirty-two paintings which are included in the illustrations in the book. He tries to "express as nearly as possible my immediate experience without attempting to generalize or draw inferences," and, in justification of this method, says: "The inducing and keeping alive of the æsthetic mood is . . . essential to happiness in a picture gallery." Technical terms are avoided, and his book is easily one of the best a beginner could read. There is no index.

CHARACTER BAD.

Edited by Kenneth Irving Brown.
Harper & Brothers
\$2 7 7/8 x 5 1/8; 258 pp. New York

This is a collection of letters from Harold Studley Gray to his parents, written over a period of three years. Gray was an ardent conscientious objector. Leaving Harvard as an undergraduate in July, 1916, he went to London where he served with the Y.M.C.A. During this time he learned that the "German prisoners were men like himself," and also that it was a solemn duty to the world and to himself that he object to military conscription. He returned to America and was drafted into the army. He refused to obey the orders of his superior officers and was sent to Leavenworth prison and later to Alcatraz Island.

Continued on page xx

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xix

THE AMERICAN MERCURY

CHECK LIST OF NEW BOOKS

Continued from page xviii

After serving sixteen months of a twenty-five year sentence, he was pardoned by President Wilson, and dishonorably discharged from the Army, "character bad." He continued in a life devoted to Christian studies and missionary work in China. At present he is a banker. The letters are interesting as a psychological study, but are otherwise rather dull.

THE LAW OF CITIZENSHIP IN THE UNITED STATES.

By *Luella Gettys*. *The University of Chicago Press*
\$3 5 3/4 x 8 1/2; 221 pp. Chicago

As Professor Quincy Wright of Chicago says of this book in the foreword, it "is unquestionably the most comprehensive treatment which has appeared on the subject of citizenship in the United States." Dr. Gettys goes into every phase of the subject, from the status of Indians to the latest laws on citizenship and naturalization adopted last May by Congress. Complications arising from marriage, wars and territorial acquisitions are fully treated. On the basis of her exhaustive study, she concludes that our laws on citizenship are "neither clear nor adequate" and that "the United States could eliminate inconsistencies and inequalities by the adoption of a comprehensive national code on citizenship laws." She also believes that the adoption by agreement of a similar code internationally would do away with many future entanglements. A very useful volume. There are a bibliography and an index.

FICTION

I, CLAUDIUS.

By *Robert Graves*. *Smith & Haas*
\$3 5 3/4 x 8 1/2; 494 pp. New York

A splendid achievement both as a biographical novel and as an ambitious piece of historical reconstruction. The Emperor Claudius makes an extremely interesting central figure, while the detailed record of his tumultuous career—which has come down to us remarkably preserved from the ravages of time—makes possible an illuminating bit of entertainment. In this careful recreation of an actual era in Roman history there may be found examples of the most violent passions, the most outrageous crimes; and the most treacherous connivings ever known to civilized man. But primarily it is an attempt to describe the reactions of one man, Clau-

dius, to the conditions which existed during the period from 10 B.C. to 41 A.D. The style is simple and straightforward, and provides an excellent vehicle for the intensely dramatic narrative.

THE COLD JOURNEY.

By *Grace Zaring Stone*. *William Morrow & Company*
\$2.50 5 3/4 x 8 1/4; 336 pp. New York

In this novel Mrs. Stone successfully recreates an actual scene in early colonial history: the French and Indian raid on the stockaded town of Redfield (Deerfield), Massachusetts, which resulted in the capture of the helpless Puritan inhabitants. The story of their long cold journey through the snow to Quebec, where they were held for ransom, is told in a manner which is vitally real and unfailingly interesting. The author has a distinct talent for penetrating character-analysis, and, despite the large cast of characters which she handles in this book, her portraits are, without exception, convincingly individualized. The aristocratic French captain, the lonely and forlorn Indian chief, the lovable old priest, the love-hungry wife, the incompetent Redfield divine—these, in particular, are creations which the reader will not soon forget. The style is fraught with passages rich in imaginative beauty, and the veritable counterpoint of stories which are developed side by side in the book are dextrously interwoven with the main theme. With the publication of "The Cold Journey" Mrs. Stone advances to the front rank of living American novelists.

NOW IN NOVEMBER.

By *Josephine Johnson*. *Simon & Schuster*
\$2 5 1/2 x 7 1/2; 231 pp. New York

A first novel by a very young lady of considerable promise whose intention in writing the book was "to give a beautiful and yet not incongruous form to the ordinary living of life—to write poetry with its feet on the ground." The story concerns a family of five individuals on a small Mid-Western farm, and covers a period of ten years. Through the sad, all-seeing, and sensitive eyes of one of the three daughters, Miss Johnson has traced quietly and charmingly the fate of the rest of the family as it develops through scenes of love, insanity and death. She is Marget Haldmarne looking back over the ten years in retrospect. Love and the old faith have gone, it is November again, and Marget is alone with her sad and beautiful memories of the past. A very fine achievement.

THE AMERICAN MERCURY

Check List of NEW BOOKS

HENRY FOR HUGH.

By Ford Madox Ford. The J. B. Lippincott Company
\$2.50 5½ x 8¾; 333 pp. Philadelphia

This is the story of how Henry Martin Aluin Smith, of the Pisto-Brittle Works, Springfield, Ohio, was forced into the rôle of Hugh Monckton Allard Smith of Monckton-Warminster, Salop, England, and the Monckton Car Company, Ltd., after Hugh's suicide, and of how he managed himself in the midst of all the dead man's difficulties. Henry, deeply troubled by the precariousness of his position, goes through all sorts of mental contortions, in the course of which Mr. Ford Madox Ford gives us the story of the events that led up to this remarkable situation. We should not fail to mention that all this takes place in the customary "villa in Southern France," a villa with a terrace and a view and all the appurtenances of formadox-fordian fiddle-dee-dee. In justice to the author we must add that he considers this the best book he has ever written.

APPOINTMENT IN SAMARRA.

By John O'Hara. Harcourt, Brace & Company
\$2.50 5½ x 8¾; 301 pp. New York

A story of hard-boiled middle-class life in the town of Gibbsville, Pennsylvania. On Christmas Eve, Julian English—leading citizen and automobile merchant—gets merrily fuddled at the Club and tosses a highball in the face of his financial back-bone, Harry Reilly, because he is unable to brook his silly jokes and stupid Irish face. From this point on, tragedy crowds rapidly in upon Julian's life. His wife and friends turn against him, his funds run out, and he is generally disgraced. The book closes with his dramatic suicide in a garage. Mr. O'Hara reveals a good command over American colloquialism, and a canny knowledge of twisted human psychology. For his style and manner, he seems more than a little indebted to certain of his contemporaries—particularly Lewis, Bromfield, and Hemingway. A surprisingly mature first-novel.

LIFT UP THE GLORY.

By the Author of "This Bright Summer."

Covici, Friede
\$2.50 5¼ x 7¾; 347 pp. New York

A powerful story of life in the Vermont hill country. Issachar Fane's fanatical devotion to outworn Puritanical standards leads two of his three sons into rebellion. David and Peter throw off the parental shackles with a vengeance, although it is Peter alone who ultimately emerges victorious. The author has constructed an impressive picture of the twisted minds of his country-folk, and of the unhappy, inhibited lives which they lead.



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SYMPHONY NO. 9 IN D-MINOR (Choral).

By *Ludwig Van Beethoven.* R.C.A.-Victor
\$17 17 parts; 9 12-inch records Camden, N. J.

This last symphonic testament of Beethoven is performed by Leopold Stokowski and the Philadelphia Orchestra, assisted by the Philadelphia Orchestra Chorus and the following soloists: Agnes Davis, soprano; Ruth Carhart, contralto; Robert Betts, tenor; and Eugene Loewenthal, baritone. The playing of the orchestra is generally excellent, and the performance of the string choirs can hardly be praised enough. In the second movement the oboes and flutes also give a superb accounting of themselves. If any criticism is to be made, it is of the playing of the first movement. The very opening is somewhat blurred and played a bit too slowly. To be sure, it is a mystical opening, but musical mysticism is not identical with confusion. But these are minor criticisms and are soon enough forgotten as the orchestra gets into its stride. What it does with the third movement, which contains one of the loftiest prayers ever expressed by man, very nearly approaches perfection. As for the fourth movement, the present reviewer belongs to the group of people who wish Beethoven had never added the chorale to it. There is something meretricious about it, and there is a considerable drop in dignity from the level of the three movements preceding it. The chief theme of the fourth movement smells too much of the tabernacle. The soloists are only adequate; the chorus is generally better than they are. On the whole, this is perhaps the best recording of Beethoven's Ninth symphony now available.

SYMPHONY NO. 3 IN E-FLAT. *Op. 97.*

By *Robert Schumann.* R.C.A.-Victor
\$5 6 parts; 3 12-inch records New York

This symphony, generally called the Rhenish, was first performed in Düsseldorf in 1851, with the composer himself conducting, five years before his tragic death. Listening to it for perhaps the twenty-fifth time, the present reviewer can well understand the contention of Schumann worshippers that Brahms learned much from his friend. But the fact remains that if Brahms was indebted to Schumann for much of his manner, he owed him almost nothing for his ideas. The Rhenish symphony, it is needless to say at

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this late date, is a work of great size. The first, second, and fifth movements are perfect Schumann, full of his strange, nervous vigor. There is barely a trace of padding in them; he was too conscientious a self-critic and too resourceful a composer to resort to that sort of falsehood. There was plenty of inspiration in him, but unfortunately it was generally inspiration of comparative detail and not of vast panoramas. The present recording is by the Orchestra of the Paris Conservatory, conducted by Piero Coppola. Their performance is far from a brilliant one, but surely not lacking in good workmanship.

QUARTET IN D-MINOR. Op. 76, No. 2.

By Joseph Haydn.

Columbia

\$3

4 parts; 2 12-inch records *New York*

Haydn wrote eighty-three string quartets, and it is only natural that some of them are mediocre. The present quartet belongs to the group of less inspired works. The last two movements, indeed, especially the minuet, are extremely pedestrian. The performance by the Poltronieri Quartet does not help matters out. In the last movement there is a considerable playing at cross purposes.

QUINTET IN E-FLAT. Op. 44.

By Robert Schumann.

Columbia

\$6

8 parts; 4 12-inch records *New York*

This quintet for the piano and strings is a favorite of the concert hall, and deservedly so. It is one of the supreme works in that form, and is surpassed only by the Franck and Brahms quintets. The march of the second movement, in spots, approaches the march of the second movement in Beethoven's Seventh Symphony, and the fourth movement is one of Schumann's most vigorous creations. The performance by the Léner String Quartet and Olga Loeser-Lebert, the pianist, leaves nothing to be desired.

TRIO NO. 2 IN C MAJOR.

By J. C. F. Bach.

R.C.A.-Victor

\$2

Camden, N. J.

2 parts; 1 12-inch record

Johann Christoph Friedrich Bach, the ninth son of the great Johann Sebastian, was no Karl Philipp Emanuel, but his work is more than well worth hearing. The present trio for cembalo, violin, and flute is full of a strange loveliness, especially the rondo. The players are: J. Hooranman, cembalo; Helene Mikulaschek, violin; and J. Nada, flute. They perform very ably, especially the flute player.

a a k

as i see it

SELDOM has as much time, trouble, and money been spent on any book as on *The Roosevelt Omnibus*, edited and annotated by Don Wharton (\$3.50).

Early last spring Henry Pringle telephoned me and asked me to see a young friend of his who had a grand idea for a book. Don Wharton, of the staff of *The New Yorker*, came around a day or two later with a detailed outline of a really original work. *The Roosevelt Omnibus*, so far as its creator and I know, is not like any book that has ever before been published about anyone—living or dead.

It is, as Mr. Wharton says, “the product of reporters, cartoonists, caricaturists, and cameramen who covered, cartooned, caricatured and photographed Mr. Roosevelt as part of their day’s work. They completed their assignments without any great thought of what either Mr. Roosevelt or posterity would think of the result, and they provided material for a many-dimensioned picture of our President as he came along.”

So here are gathered: a drawing of Mr. Roosevelt from life by Oscar Cesare made in 1934, 183 photographs, including: 35 of Mr. Roosevelt in years from 1882 to 1934, an unpublished photograph of the New York City real estate formerly owned by the Roosevelt

family, 21 photographs of Mr. Roosevelt in various intimate situations and poses, 9 photographs of Mr. Roosevelt doing things that Presidents ordinarily never do—swimming in the White House, driving his own car, sailing his own yacht, etc., 17 photographs of Mr. Roosevelt speaking at various times and occasions, 11 photographs, many of them rare, of Mr. Roosevelt dining formally, eating lunch by himself the day he was elected, getting a roadside sandwich, enjoying C.C.C. rations, etc., 20 photographs of Mr. Roosevelt and the political leaders of the world—all caught lighting up their favorite smokes, 25 photographs of Mr. Roosevelt shaking hands with practically everybody under the sun, 4 photographs, three of them rare, showing Mr. Roosevelt’s political progress in the company of the great, 5 photographs picturing the rise and fall of Mr. Roosevelt’s two Democratic predecessors and the rise of Mr. Roosevelt, 15 photographs showing the many activities of Mrs. Roosevelt, 5 photographs of Mr. and Mrs. Roosevelt at various periods in their life, and 10 photographs showing every house which Mr. Roosevelt has ever called home.

Then follow 10 articles (51,000 words), including: Robert S. Allen’s thorough and candid analysis of Mr. Roosevelt as a human being, the first magazine-article about Mr.

Roosevelt ever published, by W. A. Warn, the veteran *New York Times* correspondent at Albany from the early 1900's to the present, Milton MacKaye's impressions and interpretation of Mr. Roosevelt when he was governor, Henry F. Pringle's intimate picture of Mr. Roosevelt as President and the routine of his life in the White House and (for the first time) aboard Vincent Astor's yacht *Nourmahal*, a most ambitious attempt on the part of the editors of *Fortune* magazine to solve the problem of what Mr. Roosevelt is doing and why, an early picture of Mrs. Roosevelt by Helena Huntington Smith brought up to date, an appraisal by the editors of *Fortune* of the size and nature of the private fortune and income of Mr. and Mrs. Roosevelt, an account by Raymond A. Moley of how the Brains Trust was selected and how it worked (this is a story which Mr. Moley originally planned to wait ten years before telling, but brought out when the 1934 attacks on the Brains Trust began flagrantly to misstate the facts), the celebrated statement which Mr. Roosevelt handed the newspapermen the morning after his assassination was attempted by Zangara (a piece of reporting on the part of Mr. Roosevelt which was the envy of all newspapermen), and a first-hand account by Morris Markey of the extent, manner of handling, and nature of the record-breaking mail which has been coming in to Mr. Roosevelt since he was inaugurated.

Then follows a section of 49 cartoons and caricatures, containing: 9 caricatures of Mr. Roosevelt in the early days of his political life—including the first caricature of him ever

published, various caricatures (foreign as well as domestic) of Mr. Roosevelt after he became President, 4 cartoons by Ding which amusingly depict Mr. Roosevelt's advance to nomination and election, a two-page section including one of the most striking cartoons published during the 1932 campaign and one published shortly after election, 2 cartoons by Sir Bernard Partridge, which were published in *Punch* after the election and during the banking crisis, 2 cartoons by Ding which happened to use the same figure: one published a few days after Hoover's inauguration, one a few days after Roosevelt's, 2 cartoons published in England and Germany using the same figure to explain Mr. Hoover's moratorium in 1931 and Mr. Roosevelt's behavior in 1933, a two-page section showing a foreign and an American version of Mr. Roosevelt taming the opposition, a two-page cartoon, by Burris Jenkins, who for once turned from sports to politics, 2 cartoons from *Simplicissimus* (Munich) and their interpretations of Mr. Litvinov's co-operation with and Mr. Ford's opposition to Mr. Roosevelt, 3 cartoons from London newspapers which were intrigued by Mr. Roosevelt's activities, Mr. Covarrubias' caricature of Mr. Roosevelt and his cabinet, Mr. Covarrubias' interpretation of an impossible interview between Franklin and Theodore Roosevelt (in full color), Mr. Covarrubias' impression of the inauguration of Mr. Roosevelt (in full color), and a caricature by William Cotton of the First Lady (in full color).

Finally, there is a section of miscellany, containing: an original and startling Roose-

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velt genealogy which shows relationships with famous historical American figures hitherto unsuspected, a novel chart concerned with the Roosevelt family's monopoly of the Assistant Secretaryship of the Navy, photostatic reproductions of some of the editorials which Mr. Roosevelt wrote for the *Harvard Crimson* when he was the President of that student publication, photographic reproductions of New York paper accounts of the wedding of Franklin and Eleanor Roosevelt, a chart showing Mr. Roosevelt's pursuit of public office with an account of every vote ever cast for or against him, a thirteen-page section showing the progress of Mr. Roosevelt through the Democratic national conventions of 1912, 1916, 1920, 1924, 1928, and 1932, the most celebrated attacks made on Mr. Roosevelt before, during, and after his campaign and election, and reproductions of actual White House memoranda supplied to the editor by Mr. Roosevelt's secretary, Stephen Early, and by Raymond A. Moley.

The volume ends with the first published bibliography with descriptive notes of books by and about Mr. Roosevelt and the immediate members of his family.



I have just published Joseph Hergesheimer's first novel in three years. In *The Foolscap Rose* (\$2.50) he has again, as in *The Three Black Pennys* and *The Limestone Tree*, chosen an American theme the roots of which reach down into the early history of the nation and the fruit up into our own times.

The story is of several generations of Pennsylvania paper-makers. Hazael Wigton, the stern yet gracious old gentleman who dared wear knee-breeches long after they had been discarded in favor of French pantaloons, founded the mill that turned out the finest handmade paper in the state, and he ran it proudly, uncompromisingly, striving for honorable perfection in his craft and scorning the inhumanity of the machine. The times were against him, however, and in the person of Jacob Kinzer, a cold, shrewd, immigrant German worker, a fanatic in his service to God and himself, contemptuous of men and confident of his own rectitude, who loved one of Hazael's daughters and married the other, the machine conquered.



And that was only the first step in the transformation of the family heritage. Through three generations the plant spread its branches—the Kinzers and Wigtons becoming increasingly involved in the politics and finances of their state, their business becoming less and less the making of paper and more and more its exploitation for speculation in shares—until finally the business was a giant trust, outside the control of any one man, and in the family itself there was decadence where once there had been strength and passion. Renewal came from a source that symbolized the new blood and new ideals of the nation.

It is a vivid, moving and significant novel.

I have just published the first volume of what I hope will in time be known simply as *Zeitlin's Montaigne*. Several years ago Jacob Zeitlin, Professor of English literature in the University of Illinois, convinced me that there is no really satisfactory English version of *The Essays*. He planned a translation that, while based on the Cotton-Hazlitt text, would



Jacob Zeitlin

be a completely fresh and independent one—intended especially for American readers. Elaborate notes were to make accessible the latest results of European and American scholarship. I announced five substantial volumes at twenty-five dollars the set and placed the design and supervision of the production of the work in the very competent hands of Elmer Adler. I hoped to publish in 1933, the four hundredth anniversary of Montaigne's birth.

But the work was more arduous than we expected, the depression ensued and the original plan, it seemed, would place the work beyond the means of those likely to want it most. So volume one is not as handsome as I had hoped to make it, *but* it's the first of three instead of five and the price is only \$3.75. This for nearly 500 large octavo pages of very beautiful typography in a substantial buckram binding.

I hope you will ask for Zeitlin's Montaigne at your booksellers and subject it to your closest scrutiny. I call attention especially to page c: "Explanation of the setting of this

text," for I think Mr. Adler has solved with brilliance an unusually ticklish problem, that of enabling the reader to distinguish at a glance the three successive stages in the composition of *The Essays*.

The volume contains an Introduction by Professor Zeitlin of over 80 pages, 57 of the *Essays*, 130 pages of notes which explain in clear detail all allusions, cross references and obscure meanings, and an appendix.

The second volume is in hand and will be published some time next year. The third and final volume will be ready in 1936 at the latest.



Early in October I completed an immensely expensive and, I think, important enterprise. Volumes III and IV of René Grousset's *The Civilizations of the East*, dealing with China and Japan respectively, complete the English version of this important work. M. Grousset, Director of the Musée Cernuschi at Paris, is one of the foremost living Orientalists. Unlike most histories of art, his work presents the political, social and literary backgrounds of the countries dealt with; it thus enables the reader to follow step by step the whole cultural development of Oriental civilization.

In the volume devoted to China, which contains 281 halftone illustrations, M. Grousset traces the formation and development of the Chinese aesthetic ideal in pottery, ceramics, painting and sculpture from prehistoric to modern times. Each school of art is regarded in the light of its historical setting

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and shown in relationship to the philosophy, religion, politics and social culture of its day.

The final volume on Japan contains 211 halftone illustrations and is similar in method. The interrelation of art and literature and of culture and society is kept in mind at all times. M. Grousset shows that although Japan has inherited much from Buddhist China, its insular position, which welded the people into one of the most homogeneous of races, also encouraged a wholly original adaptation and development of the foreign influence, so that Japanese architecture, sculpture and painting are indisputably distinctive.

To this volume has been added a comprehensive index running to forty pages and covering all four volumes, the first two of which dealt respectively with *The Near and Middle East* and with *India*.

I agree with *The Nation* that this is "certainly one of the most impressive undertakings in recent publishing" and feel that *The Civilizations of the East* should become the standard history of Oriental art.

The price of these unusually handsome volumes has now been reduced from \$7.50 to \$5.00 each. The purchaser thus for \$20.00 receives over sixteen hundred pages containing, in addition to the text, 1054 halftone illustrations. The set is a real bargain and I doubt if it can be reprinted to sell at the present price.



I have just published *The Lonely Lady of Dulwich*, Maurice Baring's latest fiction. It is a short novel, shorter even than Miss Cather's

A Lost Lady—what the French call a "nouvelle" and the Germans a "Novelle". The form has from time to time attracted authors greatly, but it has somehow seldom proved popular with American and English readers. As Desmond MacCarthy says in a recent review in the London *Sunday Times*, we have no English word for the "nouvelle". When we describe such a book we have to call it a long short story. "And perhaps this is a sign of our lack of interest in form." Mr. MacCarthy continues, "The nouvelle, that is to say the novel which treats briefly a single episode as complete in itself or one which arranges events so that they can be taken in at a glance like a bouquet is the only kind of fiction which can present the kind of aesthetic merit that a picture, a building or a play might possess. It is short enough to be kept before the mind as a whole, and the novelist, knowing that he must concentrate, confines himself to essentials."



Maurice Baring

I think *The Lonely Lady of Dulwich* is sure to delight some and certain to disappoint other readers, but I think that those who like it will like it very much indeed, and I recommend it heartily to readers of *The American Mercury*.

Humbert Wolfe, himself a distinguished poet, describes the story as "a beautiful courteous tale of a lady who was loved by and rejected a poet for her husband's sake, and who later loved and was ignored by a cad of a

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gossip writer. When it is finished, there is the pause that follows a piece of Chopin played in a Polish palace. They loved, they lost, they died. But not in vain, says Mr. Baring, for they loved, they lost, they died in beauty."

As I write this, the Catholic Book Club had decided to send *The Lonely Lady of Dulwich* to its members in November. Three years ago the same organization sent its members Mr. Baring's curiously interesting book about Mary Queen of Scots *In My End Is My Beginning*, which I have just reissued in a new and cheaper edition (\$2.50).

Carl Van Vechten calls it "a tender little masterpiece, as poignant in its gentle melancholy as a song by Tschaikovsky," and adds in a letter to me, "I should think all the Zita Harmans in the world—and there are many—might find some solace in reading their sister's history. Others, I think, should admire the art with which their history is related."



I have been publishing the novels of Beatrice Kean Seymour for a good many years now and not one has been a failure. But I think her latest—*Interlude For Sally* (\$2.50)—quite her best and likely to add no less to her popularity than to her reputation.

Here you meet again the Sally of *Maids and Mistresses*, but the story is largely that of Eliot Merrall, an artist, of his unconventional marriage to his former model and mistress, and of the love affairs of their elder children. Like all Mrs. Seymour's novels, this is a full, warm story, written with great

understanding. But unlike most of its predecessors, it has a happy ending.

Mrs. Seymour divides her time between London and Hampshire where she has a charming home on the heath, a workroom in a separate tiny cottage, and a garden which is quite her own creation and which was certainly flourishing when I saw it in June of last year. Her husband is William Kean Seymour, poet, critic, and manager of a branch of one of the big London banks.



Beatrice Kean
Seymour



My great disappointment of the year is the failure of John Collier's *Defy the Foul Fiend* to find the sort of audience I feel sure it deserves. To date it has sold just 1917 copies and I blush for myself and my readers as I write the figure. For I think the book pretty nearly first rate (and for how many novels published this year can you make that claim?) and its author one of the young men who count. But the book has friends—as witness the letters I print below—and perhaps the news of it will spread.

Lee Simonson writes me:

"I found a copy of *Defy the Foul Fiend* at Louis' a short time ago. Consider yourself decorated with an order pour la mérite (or le mérite as the case may be) for publishing it. There are so many good books. There are so few delightful ones. And this is a delight-

as i see it

ful one. Perfectly conceived, perfectly sustained, and perfectly written. Surpassed only by Sylvia Townsend Warner. As I couldn't enthuse about *The Postman Always Rings Twice* (has anybody solved the title by the bye?) I send you this en revanche. I always did prefer pigeon en cocotte to roast beef however bloody.

"I hope the book sells. But I doubt it. Who the hell cares about le travail du style these days? The Zeitgeisters prefer any novel that sounds as though it could have been overheard and taken down by a stenographer in the next room."

And Carl Van Vechten:

"I have read *Defy the Foul Fiend*, tardily perhaps, but I mut say I go for this book rather completely. It is a grave enchantment and a sensible solace, warm with a stylized nostalgic erotomania. For wholly illogical reasons it reminds me of Mozart's G. Minor Symphony: could I say more? I hope you are petting this author."



Fred G. Clark, Commander-in-Chief of The Crusaders, writes me as follows:

"If I had a wad of money to spend, for the benefit of America, I would buy copies of James P. Warburg's *It's Up To Us* and give them to those who can't afford to buy them. The wider the distribution of this book, the better for America."

If anyone who reads this has the money and wants to spend it as Mr. Clark suggests, I'd be glad to hear from him—or her.



Messrs. Skoglund of Stockholm have bought the Swedish rights in Dashiell Hammett's *The Thin Man* and will publish it next year. The movie, as I need scarcely remind you, has been one of the year's great successes. I have sold 32,825 copies of the book. Hammett's other books have so far sold—excluding cheap reprint editions—as follows:

<i>Red Harvest</i>	4,369
<i>The Dain Curse</i>	4,653
<i>The Maltese Falcon</i>	10,194
<i>The Glass Key</i>	20,414

There's a bull market in Hammett at least.



J. S. Fletcher's latest mystery, *The Ebony Box*, is the fiftieth book by him on my list. It is up to his astonishingly high standard. You can always depend on Fletcher—he never lets his readers down, and, though mystery writers come and go in appalling numbers, he has held a loyal and happy American audience since the appearance of *The Middle Temple Murder* in 1919. He is at work now on a new one, *Linchester Treasury*, which I shall publish early in the new year. Mr. Fletcher, a devoted son of Yorkshire, is in his seventy-second year. In 1932 he compiled an autobiography for me which listed 233 titles. It looks as if he will set a record before long, if indeed he hasn't already done so.

Alvin Karpis

By Bus

To The Shopping District

The Fifth Avenue buses are rightly called "The Shoppers' Motor." They carried over 48,000,000 passengers last year.

During the past 12 months 316,366 passengers were carried away from the Wanamaker Store by the Fifth Avenue buses. A survey made by the Fifth Avenue Coach Company a few years ago, when the coaches were carrying only 46,000,000 passengers, showed that based on a month's tabulations the buses delivered to the following stores the number of passengers listed:

Wanamakers'	284,294 passengers a year
Lord & Taylor's	378,000 passengers a year
Altman's	423,000 passengers a year
McCreery's Fifth Avenue Entrance	233,400 passengers a year
Best & Co.	184,500 passengers a year
Franklin Simon & Co.	134,700 passengers a year

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